

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

**Planning Application No.:** PA20-0567

**Project Description:** A Tentative Tract Map (TTM 37925) for the creation of 13 single family lots, 1 open space lot, and a water quality basin on 8.12 acres for Planning Area 10 of Roripaugh Ranch Phase II

**Assessor's Parcel No.:** 964-460-007

**MSHCP Category:** Less than 8.0 dwelling units

**DIF Category:** Residential-Detached

**TUMF Category:** Residential-Single Family

**Quimby Category:** Single Family with Attached Garage

**New Street In-lieu of Fee:** N/A (Project Not Located in the Uptown Specific Plan Area)

**Approval Date:** October 21, 2020

**Expiration Date:** October 21, 2023

**PLANNING DIVISION**

**Within 48 Hours of the Approval**

1. Filing Notice of Exemption. The applicant/developer shall deliver to the Planning Division a cashiers check or money order made payable to the County Clerk in the amount of Fifty Dollars (\$50.00) for the County administrative fee, to enable the City to file the Notice of Exemption as provided under Public Resources Code Section 21152 and California Code of Regulations Section 15062. If within said 48-hour period the applicant/ developer has not delivered to the Planning Division the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Wildlife Code Section 711.4(c)).

**General Requirements**

2. 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.

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 tentative map 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 tentative map does not affect the original approval date of a development plan.

5. Consistency with Specific Plans. This project and all subsequent projects within this site shall be consistent with the Roripaugh Ranch Specific Plan (SP #11).

6. Block Wall Coating. All perimeter constructed block walls in the public view shall be finished with an anti graffiti coating.

7. 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.

8. Compliance with EIR. The project and all subsequent projects within this site shall comply with all mitigation measures identified within EIR No. SCH# 97121030.

9. Conformance with Approved Plans. The development of the premises shall substantially conform to the approved tentative maps contained on file with the Planning Division.

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

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

12. Modifications or Revisions. The permittee shall obtain City approval for any modifications or revisions to the approval of this project.

13. Public Art Ordinance. The applicant shall comply with the requirements of the City's Public Art Ordinance as defined in the Development Agreement.

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

14. 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.
15. 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 his/her 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 Planning Director 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 Planning Director 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 Planning Director."
16. 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.
17. 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."
18. 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."
19. 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."

20. 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."
21. 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."
22. MSHCP Pre-Construction Survey. A 30-day preconstruction survey, in accordance with MSHCP guidelines and survey protocol, shall be conducted prior to ground disturbance. The results of the 30-day preconstruction survey shall be submitted to the Planning Division prior to scheduling the pre-grading meeting with Public Works. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.
23. Burrowing Owl Grading Note. The following shall be included in the Notes Section of the Grading Plan: "No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Public Works. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Division approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist." If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.
24. 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.

25. 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**

26. Transportation Uniform Mitigation Fee (TUMF). The City of Temecula adopted an ordinance on March 31, 2003 to collect fees for a Riverside County area wide Transportation Uniform Mitigation Fee (TUMF). Pursuant to the Development Agreement, this project is subject to payment of these fees at the time of building permit issuance. 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.
27. Development Impact Fee (DIF). Pursuant to the Development Agreement, the developer shall comply with the provisions of Title 15, Chapter 15.06 of the Temecula Municipal Code and all City resolutions by paying the appropriate DIF fee.
28. Construction Landscaping and Irrigation Plans. Four (4) copies of 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 Eastern Municipal 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.
29. 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, for common HOA area only, 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.
30. 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."

31. Water Usage Calculations. The Landscaping and Irrigation Plans shall include water usage calculations per Chapter 17.32 of the Development Code (Water Efficient Ordinance), and the total cost estimate of plantings and irrigation (in accordance with approved plan). Applicant shall use evapotranspiration (ET<sub>o</sub>) factor of 0.70 for calculating the maximum allowable water budget.
32. 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.
33. 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, for common HOA area only, 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.
34. 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.
35. Wall and Fence Plans. Wall and fence plans shall be consistent with the Conceptual Landscape Plans as shown in the Roripaugh Ranch Specific Plan showing the height, location and the following materials for all walls and fences:
  - a. Decorative block for the perimeter of the project adjacent to a public right of way equal to 66 feet or larger and the side yards for corner lots.
  - b. Wrought iron or decorative block and wrought iron combination to take advantage of views for side and rear yards.
  - c. Wood and/or vinyl fencing shall be used for all side and rear yard fencing when not restricted/conditioned outlined above.
36. Precise Grading Plans. Precise Grading Plans shall be consistent with the approved rough grading plans including all structural setback measurements.
37. Landscaping Requirement for Phased Development. If any phase or area of the project site is not scheduled for development within six months of the completion of grading, the landscaping plans and/or erosion control to satisfaction of the City Engineer shall indicate it will be temporarily landscaped and irrigated for dust and soil erosion control.

38. 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.
39. Utility Screening. All utilities shall be screened from public view pursuant to public agency requirements. 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**

40. 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.
41. Performance Securities. For common areas, 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.
42. Installation of Site Improvements. All site improvements, including but not limited to, parking areas and striping shall be installed.
43. TCSD Service Levels. It shall be the developer's responsibility to provide written disclosure of the existence of the Temecula Community Service District (TCSD) and its service level rates and charges to all prospective purchasers.
44. Compliance with Conditions of Approval. All conditions 1 thru 46 shall be complied with prior to occupancy or any use allowed by this permit.
45. Front Yard and Slope Landscaping. Front yard and slope landscaping within individual lots shall be completed for inspection.
46. HOA Landscaping. HOA landscaping shall be completed for inspection for those lots adjacent to HOA landscaped area.

#### **Prior to Recordation of the Final Map**

47. Final Map. A copy of the Final Map shall be submitted to, and approved by, the Planning Division.
48. Quimby Requirements. The developer shall satisfy the City's parkland dedication (Quimby) requirement pursuant to the Development Agreement through the payment of in lieu fees equivalent to a determined amount of acres of parkland, based upon the City's then current land evaluation. Said requirement includes a credit for private recreational opportunities provided.

49. Environmental Constraint Sheet. A copy of the Environmental Constraint Sheet (ECS) shall be submitted to, and approved by, the Planning Division with the following notes:
- a. This property is located within 30 miles of Mount Palomar Observatory. All proposed outdoor lighting systems shall comply with the California Institute of Technology, Palomar Observatory recommendations, Ordinance No. 655.
  - b. Environmental Impact Report (EIR), (SCH# 97121030), was prepared for this project and is on file at the City of Temecula Planning Division.
  - c. This project is within a Liquefaction Hazard Zone.
50. Submittal of CC&Rs. A copy of the Covenants, Conditions, and Restrictions (CC&Rs) shall be submitted and approved by the Director of Community Development. The CC&Rs shall include liability insurance and methods of maintaining open space, recreation areas, parking areas, private roads, exterior of all buildings, and all landscaped and open areas, including parkways. Applicants shall provide a deposit in the amount of \$3,750 for the review of new CC&Rs. Amended CC&Rs will require a deposit of \$2,000. The applicant shall be responsible for all costs incurred during the review of the CC&Rs and additional fees may be required during the course of the review.
51. Form and Content of CC&Rs. The CC&Rs shall be in the form and content approved by the Director of Community Development, City Engineer, and the City Attorney, and shall include such provisions as are required by this approval and as said officials deem necessary to protect the interests of the City and its residents.
52. Preparation of CC&Rs. The CC&Rs shall be prepared at the developer's sole cost and expense.
53. Review of CC&Rs. The CC&Rs and Articles of Incorporation of the Property Owners Association are subject to the approval of the Director of Community Development, Public Works Director, and the City Attorney.
54. CC&Rs and Management/Maintenance of Common Areas. The CC&Rs shall provide for the effective establishment, operation, management, use, repair, and maintenance of all common areas, drainage facilities, and pollution prevention devices outlined in the project's Water Quality Management Plan.
55. CC&Rs and Public Nuisance. The CC&Rs shall provide that the property shall be developed, operated, and maintained so as not to create a public nuisance.
56. Termination of CC&Rs. The CC&Rs shall provide that the association may not be terminated without prior City approval.
57. CC&Rs and Maintenance of Property. The CC&Rs shall provide that if the property is not maintained in the condition required by the CC&Rs, then the City, after making due demand and giving reasonable notice, may enter the property and perform, at the owner's sole expense, any maintenance required thereon by the CC&Rs or the City Ordinances. The property shall be subject to a lien in favor of the City to secure any such expense not promptly reimbursed.
58. Interest in Association. Every owner of a suite or lot governed by CC&Rs shall own as an appurtenance to such suite or lot, either: (1) an undivided interest in the common areas and facilities, or (2) a share in the corporation, or voting membership in an association owning the common areas and facilities.



59. Maintenance of Open Areas. All open areas and landscaping governed by CC&R shall be permanently maintained by the association or other means acceptable to the City. Such proof of this maintenance shall be submitted to the Planning Divisions and Public Works Department prior to the issuance of building permits.
60. Reciprocal Easements. Reciprocal access easements and maintenance agreements ensuring access to all parcels and joint maintenance of all roads, drives, parking areas, drainage facilities, and water quality features, shall be provided by the CC&Rs or by deeds and shall be recorded concurrent with the map or prior to the issuance of building permit where no map is involved.
61. Consent of City of Temecula. An Article must be added to every set of CC&Rs, following the Declarant's signature, to read as follows:  
CONSENT OF CITY OF TEMECULA  
The Conditions of Approval for Tentative Tract Map No. (TTM 37925) require the City of Temecula to review and approve the CC&Rs for the Parcel. The City's review of these CC&Rs has been limited to a determination of whether the proposed CC&Rs properly implement the requirements of the Conditions of Approval for the Parcel. The City's consent to these CC&Rs does not contain or imply any approval of the appropriateness or legality of the other provisions of the CC&Rs, including, without limitation, the use restrictions, private easements and encroachments, private maintenance requirements, architecture and landscape controls, assessments, enforcement of assessments, resolutions of disputes or procedural matters. Subject to the limitations set forth herein, the City consents to the CC&Rs.

---

Luke Watson  
Director  
Community Development

Approved as to Form:

---

Peter M. Thorson  
City Attorney

62. Consent of City of Temecula. An Article must be added to every set of CC&Rs to read as follows:  
Article \_\_\_\_  
CONSENT OF CITY OF TEMECULA  
\_\_\_\_1. The Conditions of Approval of Tentative Tract Map Number \_\_\_\_\_ requires the City to review and approve the CC&Rs for the Parcel.  
\_\_\_\_2. Declarant acknowledges that the City has reviewed these CC&Rs and that its review is limited to a determination of whether the proposed CC&Rs properly implement the requirements of the Conditions of Approval for the Parcel. The City's consent to these CC&Rs does not contain or imply any approval of the appropriateness or legality of the other provisions of the CC&Rs, including, without limitation, the use restrictions, private easements and encroachments, private maintenance requirements, architecture and landscape controls, assessment procedures, assessment enforcement, resolution of disputes or procedural matters.  
\_\_\_\_3. In the event of a conflict between the Conditions of Approval of the land use entitlements issued by the City for the Parcel or Federal, State or local laws, ordinances, and regulations and these CC&Rs, the more restrictive provision shall prevail, as long as such provision complies with all Federal, State or local laws, ordinances and regulations. The CC&Rs shall include a provision requiring compliance with all Federal, State or local laws, ordinances and regulations.  
\_\_\_\_4. These CC&Rs shall not be terminated, amended or otherwise modified without the express written consent of the Director Community Development of the City of Temecula.
63. Operation of Association. No lot or suite in the development shall be sold unless a corporation, association, property owners group or similar entity has been formed with the right to assess all properties individually owned or jointly owned which have any rights or interest in the use of the common areas and common facilities in the development, such assessment power to be sufficient to meet the expenses of such entity, and with authority to control, and the duty to maintain, all of said mutually available features of the development. Such entity shall operate under recorded CC&Rs, which shall include compulsory membership of all owners of lots and/or suites and flexibility of assessments to meet changing costs of maintenance, repairs, and services. Recorded CC&Rs shall permit enforcement by the City for provisions required as Conditions of Approval. The developer shall submit evidence of compliance with this requirement to, and receive approval of, the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes.
64. Recordation of CC&Rs. CC&Rs shall be finalized and recorded at the time of Final Map Recordation.
65. Copies of CC&Rs. Three copies of the final recorded CC&Rs shall be provided to the Planning Division.

#### **Outside Agencies**

66. Compliance with Dept. of Environmental Health. The applicant shall comply with the recommendations set forth in the County of Riverside Department of Environmental Health's transmittal dated August 19, 2020, a copy of which is attached.
67. Compliance with Geotechnical. The applicant shall comply with the recommendations set forth in the Geocon West, Inc transmittal dated June 24, 2020, a copy of which is attached.

### **PUBLIC WORKS DEPARTMENT**

#### **General Requirements**

68. Subdivision Map. The developer shall submit a complete Tract Map submittal for review and approval. Any omission to the representation of the site conditions may require the plans to be resubmitted for further review and revision.
69. Underlying Approvals. If, in applying these conditions, there is any conflict between the requirements of (i) the project's Development Agreement, as amended to date, (ii) the Specific Plan, as amended to date, and/or (iii) Tentative Tract Map No. 29593, the prevailing requirement shall be determined as follows:
- a. First priority goes to the provisions of the Development Agreement
  - b. Second priority goes to the provisions of the Specific Plan, then
  - c. Third priority goes to the provisions of Tentative Tract Map No. 29353
70. Grading Permit. A grading permit for rough and/or precise grading shall be obtained from Public Works prior to commencement of any construction within private property. Grading shall be in accordance with the approved grading plan, grading permit conditions and City codes/standards.
71. Encroachment Permits. Prior to commencement of any applicable construction, encroachment permit(s) are required and shall be obtained from Public Works for public offsite improvements.
72. PW-005: Improvement Plans. The developer shall submit improvement plans (to include public/private street plans, storm drain plans, signage and striping plans, etc.) as required for review and approval by Public Works. The designs shall be in compliance with Caltrans, Riverside County Flood Control and Water Conservation District and City codes/standards.
73. Implementing facilities. The Developer shall ensure the following:
- a. Construction of the development permitted by the Specific Plan, including recordation of final subdivision maps, may be carried out in stages provided that, ultimate improvements to provide vehicular access is constructed for all dwelling units in each stage of development and further provided that such development conforms substantially with the intent and purpose of the Specific Plan.
  - b. Adequate primary and secondary access shall be provided for each phase of development as approved by the City Engineer. Additional rights of way at entries to the aforementioned sites may be required to provide for turning lanes as directed by the City Engineer.
  - c. Drainage facilities within each phase shall be constructed immediately after the completion of the site grading and prior to or concurrently with the initial site development within that phase.
  - d. The Developer shall construct the proposed on and offsite drainage facility improvements and the interim detention basin provision as recommended in the Drainage Study and/or as directed by the Department of Public Works.
  - e. All areas within the limits of work must be designed to address Water Quality and designated as self treating areas, self retaining areas, areas draining to self retaining areas, or areas draining to BMPs.
74. 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.

75. Private Drainage Facilities. All onsite drainage and water quality facilities shall be privately maintained.
76. Landscaped Plans. The developer:
  - a. shall contact the Park/Landscape Maintenance Supervisor for a pre-design meeting to discuss design parameters. The design shall be in conformance with the Temecula Community Services District's Landscape Standards.
  - b. his successor or assignee, shall be responsible for the maintenance of the landscaped parkways, medians or public parks until such time Public Works accepts that responsibility.
77. Parkway Landscaping. All parkway landscaping areas shall be privately maintained.
78. Access restriction. The future access onto public streets shall be restricted as shown on the approved Tentative Tract Map.

**Prior to Recordation of the Final Map**

79. 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.
80. Plans, Agreements & Securities. The developer shall have approved improvement plans, executed subdivision improvement agreements and posted securities.
81. Right-of-Way Dedications. All easements and/or right-of-way dedications shall be offered for dedication 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.
82. Environmental Constraint Sheet (ECS). The developer shall prepare and record an ECS with the Tract Map to delineate identified environmental concerns. The developer shall comply with all constraints per the recorded ECS along with any underlying maps related to the property.
83. Required Clearances. As deemed necessary by Public Works, the developer shall receive written clearance from the following agencies:
  - a. General Telephone;
  - b. Riverside County Flood Control and Water Conservation District;
  - c. Rancho California Water District;
  - d. Eastern Municipal Water District;
  - e. Cable TV Franchise;
  - f. Telephone Company;
  - g. Southern California Edison Company;
  - h. The Gas Company;
  - i. Metropolitan Water District or other affected agencies
84. Right of Access. Relinquish and waive right of access to and from Murrieta Hot Springs Road on the Tract Map with the exception of one opening as delineated on the approved Tentative Tract Map.

85. Easements. Note the following:
- a. A 50 foot wide easement shall be dedicated for public utilities and emergency vehicle access for all private streets and drives.
  - b. Private easements for cross-lot drainage shall be delineated and noted on the Tract Map.
  - c. Easements (when required for roadway slopes, landscape, drainage facilities, utilities, etc.) shall be shown on the Tract Map if they are located within the land division boundary. All offers of dedication and conveyances shall be submitted for review and recorded, as directed by Public Works. Onsite drainage facilities located outside of road right-of-way shall be contained within drainage easements and shown on the Tract Map. A note shall be added to the Tract Map stating: "Drainage easements shall be kept free of buildings and obstructions."
86. Public Street Improvements and Securities. The developer shall design and guarantee construction (i.e., posting of security and entering into agreements) of the following public improvements (including parkways) to the City's General Plan standards unless otherwise noted. Plans shall be approved by Public Works. All street improvement designs shall provide adequate right-of-way and pavement transitions per Caltrans' standards to join existing street improvements.
- a. Improve Murrieta Hot Springs (Principal Arterial (6 lanes divided) Standard No. 100 –110' R/W) to include installation of paving, curb and gutter, sidewalk, streetlights, drainage facilities, signing and striping, and utilities (including but not limited to water and sewer).
87. Private Streets. Private roads shall be designed to meet City public road standards. Unless otherwise approved, the following minimum criteria shall be observed in the design of private streets:
- a. Improve Street "A" (Private Street – 50' R/E) to include installation of full-width street improvements, including utilities, as shown on the approved Tentative Tract Map.
  - b. Cul-de-sac geometries shall meet current City standards.
  - c. Minimum safe horizontal centerline radii shall be required (all centerline radii should be identified on the site plan).
  - d. All intersections shall be perpendicular to 90 degrees.
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. Undergrounding Utility Systems. All utility systems including gas, electric, telephone, water, sewer and cable TV shall be provided underground (with the required easements); and shall be designed and constructed in accordance with City codes and utility provider's standards. Telephone, cable TV and/or security systems shall be pre-wired in the residence. The developer shall notify the City's cable TV franchisees of the Intent to Develop. Conduit shall be installed to cable TV standards at time of street improvements.

90. Acquisition of Offsite Property. The developer shall make a good faith effort to acquire required offsite property interests, and if he or she should fail to do so, the developer shall, prior to submittal of the Tract or Parcel Map for recordation, enter into an agreement to complete the improvements pursuant to Subdivision Map Act, Sections 66462 and 66462.5. The agreement shall provide for payment by the developer of all costs incurred by the City to acquire the offsite property interests required in connection with the subdivision. Security of a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer (at developer's cost). The appraiser shall be approved by the City prior to commencement of the appraisal.
91. Assessments. Pursuant to Section 66493 of the Subdivision Map Act, any subdivision, which is part of an existing Assessment District, must comply with the requirements of said section. The developer shall submit an application for reapportionment of any assessments with the appropriate regulatory agency.
92. Property Taxes. Any delinquent property taxes shall be paid.
93. Parcel Geometry. The applicant shall submit an editable projected digital version of the parcel geometry in a drawing exchange format (pursuant to Riverside County standards). Prior to final approval, the City's GIS Division shall conduct quality control on the data to verify accuracy and compatibility.

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

94. Required Clearances. As deemed necessary by Public Works, the developer shall receive written clearance from the following agencies:
  - a. General Telephone; or other affected agencies.
95. 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 final WQMP water quality facilities and all construction-phase pollution-prevention controls to adequately address non-permitted runoff. Refer to the City's Engineering & Construction Manual at:  
[www.TemeculaCA.gov/ECM](http://www.TemeculaCA.gov/ECM)
96. Erosion & Sediment Control Securities. The developer shall comply with the provisions of Chapter 24, Section 18.24.140 of the Temecula Municipal Code by posting security and entering into an agreement to guarantee the erosion & sediment control improvements.
97. NPDES General Permit Compliance. The developer shall obtain project coverage under the State National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities and shall provide the following:
  - a. A copy of the Waste Discharge Identification number (WDID) issued by the State Water Resources Control Board (SWRCB);
  - b. The project's Risk Level (RL) determination number; and
  - c. The name, contact information and certification number of the Qualified SWPPP Developer (QSD).Pursuant to the State Water Resources Control Board (SWRCB) requirements and City's storm water ordinance, a Storm Water Pollution Prevention Plan (SWPPP) shall be generated and submitted to the Board. Throughout the project duration, the SWPPP shall be routinely updated and readily available (onsite) to the State and City. Review [www.cabmphandbooks.com](http://www.cabmphandbooks.com) for SWPPP guidelines. Refer to the following link:  
[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)

98. Water Quality Management Plan (WQMP) and O&M Agreement. The developer shall submit a final WQMP (prepared by a registered professional engineer) with the initial grading plan submittal, based on the conceptual WQMP from the entitlement process. It must receive acceptance by Public Works. A copy of the final project-specific WQMP must be kept onsite at all times. In addition, a completed WQMP Operation and Maintenance (O&M) Agreement shall be submitted for review and approval. Upon approval from City staff, the applicant shall record the O&M agreement at the County Recorder's Office in Temecula. Refer to the WQMP template and agreement link: [www.TemeculaCA.gov/WQMP](http://www.TemeculaCA.gov/WQMP). As part of the WQMP approval, the Engineer of Record shall report and certify BMP construction per City of Temecula NPDES requirements. Should the project require Alternative Compliance, the developer is responsible for execution of an approved Alternative Compliance Agreement.
99. 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.
100. 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.
101. 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.
102. Geological Report. The developer shall complete any outstanding County geologist's requirements, recommendations and/or proposed Conditions of Approval as identified during entitlement.
103. 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.

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

104. Final Map. Tract Map Number 37925 shall be approved and recorded.

105. 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, other than traffic signal safety lights, 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.
106. Precise Grading Plan. A precise grading plan shall be submitted to Public Works for review and approval. The plan shall be in substantial conformance with the approved rough grading plan; and shall show all lot drainage directed to the driveway by side yard drainage swales independent of any other lot. The building pad shall be certified by a registered civil engineer for location and elevation; and the soils engineer shall issue a final soils report addressing compaction and site conditions.

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

107. 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.
108. 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.
109. 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.
110. Certifications. All necessary certifications and clearances from engineers, utility companies and public agencies shall be submitted as required by Public Works.

#### **FIRE PREVENTION**

##### **General Requirements**

111. Life Safety Conditions. 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



112. Fire Flow. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial and residential buildings per CFC Appendix B. The developer shall provide for this project, a water system capable of delivering 2,000 GPM at 20-PSI residual operating pressure for a 2-hour duration for single family dwellings. The fire flow as given above has taken into account all information as provided (CFC Appendix B and Temecula City Ordinance 15.16.020).
113. Fire Hydrants. The Fire Prevention Bureau is required to set minimum fire hydrant distances per CFC Appendix C. Standard fire hydrants (6" x 4" x (2) 2 ½" outlets) shall be located on fire access roads and adjacent public streets. For all single family dwellings and tract homes hydrants shall be 500 feet apart, and shall be located no more than 250 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 City Ordinance 15.16.020).
114. Construction Phasing. If construction is phased, each phase shall provide approved access and fire protection prior to any building construction (CFC Chapter 5)
115. Fire Requirement. Water will need to be in and hydrants will need to be active. Also, roads will need to be installed with asphalt before combustible materials can be brought onto the site.

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

116. All Weather Access Roads. Fire apparatus access roads and driveways 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 City Ordinance 15.16.020).
117. Access Road Widths. Fire Department vehicle access roads shall have an unobstructed width of not less than 24 feet for tract home developments with an unobstructed vertical clearance of not less than 13 feet 6 inches (CFC Chapter 5 and Temecula City Ordinance 15.16.020).

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

118. Required Fire Systems (Residential Fire Sprinkler Systems). All Residential structures are now required under the most current edition of the California Residential Code (identified in Title 15 of the Temecula Municipal Code), to be equipped throughout with an automatic fire sprinkler system.
119. Required Submittals (Residential Fire Sprinkler Systems). Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval. Three sets of sprinkler plans must be submitted by the installing contractor to the Fire Prevention Bureau. These plans must be submitted prior to the issuance of building permit. A set of plans and calculations are required for each individual home, not model type.