

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

**Planning Application No.:** PA20-1454

**Project Description:** Sommers Bend PA15 HPR: Home Product Review for Planning Area 15 of the Roripaugh Ranch Specific Plan to allow for three (3) unique detached single-family plans with three (3) architectural styles consisting of 45 lots.

**Assessor's Parcel No.:** 964-661-010

**MSHCP Category:** Exempt Per Development Agreement No. 2016 0156276

**DIF Category:** Residential Detached Per Development Agreement No. 2016 0156276

**TUMF Category:** Exempt Per Development Agreement No. 2016 0156276

**Quimby Category:** Exempt Per Development Agreement No. 2016 0156276

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

**Approval Date:** April 21, 2021

**Expiration Date:** April 21, 2024

**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.
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 three extensions of time, one year at a time.  
A modification made to an approved development plan does not affect the original approval date of a development plan.
5. Consistency with Specific Plans. This project and all subsequent projects within this site shall be consistent with the Roripaugh Specific Plan.
6. Block Wall Coating. All perimeter constructed block walls in the public view shall be finished with an anti-graffiti coating and shall provide documentation confirming the installation of the 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 and Operating Memorandums.
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 site plan and elevations contained on file with the Planning Division.
10. 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.

11. 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:
  - a. Spills and leaks shall be cleaned up immediately.
  - b. Do not wash, maintain, or repair vehicles onsite.
  - c. Do not hose down parking areas, sidewalks, alleys, or gutters.
  - d. Ensure that all materials and products stored outside are protected from rain.
  - e. Ensure all trash bins are covered at all times.
12. 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. (List Materials and Colors here.)
13. Modifications or Revisions. The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
14. 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.
15. 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.

#### **Prior to Issuance of Building Permit**

16. 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.cog.ca.us/174/TUMF>
17. 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.
18. Quimby Requirements. The developer shall satisfy the City's parkland dedication (Quimby) requirement through the payment of in lieu fees based upon the City's then current land evaluation. Said requirement includes a credit for private recreational opportunities provided.

19. 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 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.
20. 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.
21. 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<sub>o</sub>) factor of 0.70 for calculating the maximum allowable water budget.
22. 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.
23. 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.
24. Hardscaping. The landscape plans shall include all hardscaping for equestrian trails and pedestrian trails within private common areas.

25. Wall and Fence Plans. Wall and fence plans shall be consistent with the Conceptual Landscape Plans showing the height, location and the following materials for all walls and fences: Choose those that apply.  
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.
- Wrought iron or decorative block and wrought iron combination to take advantage of views for side and rear yards.
- Wood fencing shall be used for all side and rear yard fencing when not restricted/conditioned outlined above.
26. 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.
27. Roof-Mounted Mechanical Equipment. Roof-mounted mechanical equipment shall not be permitted within the subdivision; however, solar equipment or any other energy saving devices shall be permitted with Director of Community Development approval.

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

28. 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.
29. Installation of Site Improvements. All site improvements, including but not limited to, parking areas and striping shall be installed.
30. Compliance with Conditions of Approval. All of the foregoing conditions shall be complied with prior to occupancy or any use allowed by this permit.
31. Front Yard and Slope Landscaping. Front yard and slope landscaping for slopes greater than three (3) feet within individual lots shall be completed for inspection.
32. Private Common Area Landscaping. Private common area landscaping shall be completed.
33. HOA Landscaping. HOA landscaping shall be completed for inspection for those lots adjacent to HOA landscaped area.

#### **PUBLIC WORKS DEPARTMENT**

##### **General Requirements**

34. 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.
35. 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.

36. Precise Grading Permit. A precise grading permit for on site improvements (outside of public right-of-way) shall be obtained from Public Works.
37. 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.
38. 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, (iii) Tentative Tract Map No. 29593, (iv) Tentative Tract Map No. 37368, and/or (v) Tentative Tract Map No. 37341, 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
  - d. Fourth priority goes to the provisions of Tentative Tract Map No. 37368
  - e. Fifth priority goes to the provisions of Tentative Tract Map No. 37341
39. Private Drainage Facilities. All onsite drainage and water quality facilities shall be privately maintained.

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

40. Environmental Constraint Sheet (ECS). The developer shall comply with all constraints per the recorded ECS with any underlying maps related to the subject property.
41. 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](http://www.TemeculaCA.gov/ECM)
42. 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)
43. 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.
44. Driveways. All units shall be provided with zero clearance garage doors and garage door openers if the driveway is less than 18' in depth from back of sidewalk.

45. 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.

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

46. 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**

47. 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.
48. 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.
49. 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.
50. Certifications. All necessary certifications and clearances from engineers, utility companies and public agencies shall be submitted as required by Public Works.

### **BUILDING AND SAFETY DIVISION**

#### **General Requirements**

51. 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.
52. 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.
53. 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.
54. 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.

55. 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.
56. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
57. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits.
58. 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 Municipal Ordinance 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.
59. Garage Dimensions. Parking spaces within enclosed garages shall have an interior dimension of at least ten feet wide and twenty feet long. All measurements shall be made from the interior walls and any obstructions (including stem walls) shall not satisfy this requirement. The interior wall dimensions shall be on the plans for each garage.  
The following notes are required on the plans:  
-Two car garages shall note, "20' x 20' clear with no obstructions (including stem walls)"  
-Single car garages shall note, "10' x 20' clear with no obstructions (including stem walls)"

## **FIRE PREVENTION**

### **General Requirements**

60. 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
61. Construction Phasing. If construction is phased, each phase shall provide approved access and fire protection prior to any building construction (CFC Chapter 5)

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

62. Turning Radius (Dead End Roadway). Prior to building construction, dead end roadways and streets in excess of 150 feet which have not been completed shall have a turnaround capable of accommodating fire apparatus (CFC Chapter 5 and Temecula City Ordinance 15.16.020)

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

63. 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.
64. 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.

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

65. Hydrant Markers. Hydrant locations shall be identified by the installation of reflective markers (blue dots per Temecula City Ordinance 15.16.020)



