

## **DRAFT CONDITIONS OF APPROVAL**

**MEETING DATE:** August 28, 2018

**TITLE:** Development Agreement No 02-18 (Mission Creek Trails)

**PREPARED BY:** Scott Taschner, GISP, Senior City Planner

**REVIEWED BY:** Planning Commission

**APPROVED BY:** City Council

### **Standard Administrative Conditions**

1. Applicant/Developer shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings, including those involving environmental issues, against the City to attack, set aside, void, annul, and/or seek monetary damages resulting from an 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 entitlement application. City shall promptly notify both the Applicant/Developer 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 its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
2. Any future development on the Project Site, including but not limited to ground disturbance and/or construction, will require all applicable permits and entitlements and shall be in compliance with all applicable provisions of the City's Municipal Code as well as all applicable provisions of the adopted Building and Fire Codes. All new construction shall obtain a building permit and comply with the requirements of the Planning, Building, and Fire Departments.
3. The development of the Project on the Project Site shall be in substantial compliance with the exhibits contained in the project file for **Development Agreement No 02-18** as shown in all Exhibits attached hereto and incorporated herein by this reference.

4. Within fifteen (15) days of final approval (expiration of the appeal period) by the City Council, the Applicant/Developer shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This approval shall become void, and any privilege, permit, or other authorization granted under these entitlements if compliance with this condition has not been undertaken within the specified time limits.
5. Within fifteen (15) days of final approval (expiration of the appeal period) by the City Council, the applicant / developer / property owner shall sign and notarize two copies of the City Council approved Development Agreement and return to the office of the City Manager for signatures and recordation.
6. The Applicant / Developer shall deliver within 5 (five) working days after the appeal period (15 days) to the Community Development Department a cashier's check, money order, or other acceptable form of payment made payable to "Riverside County" in the amount of \$3,218 (\$3168 + \$50 ) for the filing of the EIR Addendum, required pursuant to California Code of Regulations Section 15075. Any additional fees that may be attributed to the required filing of environmental documents shall be paid by the Applicant/Developer. If Applicant/Developer has not delivered to the Community Development Department the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Game Code Section 711.4(c)).