

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

**Planning Application No.:** PA20-0724

**Project Description:** A Major Modification Application to modify an existing building and Conditional Use Permit for a wireless telecommunication facility to accommodate new wireless equipment and increase the height of the existing building located at 41258 Margarita Road.

**Assessor's Parcel No.:** 921-831-014

**MSHCP Category:** N/A (Existing Building No New Grading)

**DIF Category:** N/A (Existing Building)

**TUMF Category:** N/A (Existing Building)

**Quimby Category:** N/A (Not a Residential Project)

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

**Approval Date:** January 20, 2021

**Expiration Date:** January 20, 2023

**PLANNING DIVISION**

**Within 48 Hours of the Approval**

1. Filing Notice of Exemption. The applicant/developer shall deliver to the Planning Division a cashier's 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 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.  
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 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 Specific Plan No. 6 (Campos Verdes Specific).
  
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. 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.
  
8. Graffiti. All graffiti shall be removed within 24 hours on telecommunication towers, equipment, walls, or other structures.
  
9. 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.

10. 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.  
Windows- Faux Windows will be installed to match existing  
Wall Facade- Textured and painted to match existing stucco  
Accent Band (reglet) and Keystone- painted white to match existing  
Clay Roof Tile- Buff Blend, Redland Clay Company
11. Modifications or Revisions. The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
12. Previous Conditions of Approval. All previous Conditions of Approval from PA09-0265 shall remain in full effect unless superseded herein.
13. 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.
14. Camouflage. All four sides of the entire tower elements (not just the newly reconstructed portions) shall be professionally repainted and textured to maximize the camouflage effect of all carriers on-site.

## **BUILDING AND SAFETY DIVISION**

### **General Requirements**

15. 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.
16. 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.
17. 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.

## **FIRE PREVENTION**

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

18. Knox Box. A "Knox-Box" shall be provided and shall be installed a minimum of six feet in height and be located to the right side of the entry door (CFC Chapter 5.)

19. Required Submittals (Generator). Generator plans shall be submitted to the Fire Prevention Bureau for review and approval. This is for the above ground tank that is attached to the generator. (CFC).
20. Additional Submittals (Hazardous Materials). The applicant shall submit for review and approval by the City Fire Department a Hazardous Material Inventory Statement and Fire Department Technical Report. A full hazardous materials inventory report and color coded floor plan is required for any building storing or using hazardous materials (CFC Chapters 1 and 50 through 67 and City Ordinance 15.16.020)

### **General Requirements**

21. 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.