

**CONDITIONS OF APPROVAL
DEVELOPMENT PLAN (DP0-008-2723)
ROYAL STREET COMMUNICATIONS
January 21, 2009**

PLANNING DEPARTMENT:

1. Development Plan DP0-008-2723 is for a new telecommunications facility to be located within the existing building cupola at 39840 Los Alamos Road, Plaza Las Brisas. All antennas and associated equipment will be mounted inside the existing building cupola with a maximum antenna placement height of 40' 10". The use hereby permitted is for the installation and operation of an unmanned telecommunication facility to be of stealth design as part of the existing building cupola. It will house six panel antennas all equipment cabinets and one GPS antenna mounted on the exterior edge of the building cupola rooftop. The project lease area will be approximately 256 square feet. Any expansion of the project area will require City approval in accordance with the applicable procedures.
2. This approval shall be used within two (2) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction under this approval within the two (2) year period, which is thereafter diligently pursued to completion, and in the event the use hereby permitted ceases operation for a period of 180 days or more, this approval shall become null and void.
3. The permittee shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning this approval DP0-008-2723. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
4. Pursuant to Section 711.4 of the State of California Fish and Game Code, the permittee is required to pay a \$64.00 handling fee. Said fees shall be paid to the Clerk of the County of Riverside at the time the Notice of Exemption is filed pursuant to Section 21152 of the Public Resources Code. If this fee is not paid, the approval of this project shall not be operative, vested, or final. In order to comply with State mandated timelines for filing of a Notice of Exemption; the above fee must be delivered to the Planning Department within two (2) working days after the date of approval.
5. The development of the premises/project shall comply with the standards of the City's Development Code and all other applicable state and federal codes. The development of the premises/project shall conform substantially with that as shown on the approved site plan dated December 30, 2008 unless otherwise amended by these conditions of approval.
6. Any subsequent review/approvals required by the conditions of approval, including but not limited to grading or building plan review or review of any mitigation monitoring

requirement, shall be reviewed on an hourly basis, or other appropriate fee, as listed in the City's fee schedule planning project review.

7. The portions of the existing stucco façade that are replaced with RF transparent screening must be painted and textured to match the existing stucco walls. The RF transparent screening must provide a seamless finish so that there is no visible difference between the existing stucco wall and the screening material.
8. All utility and coaxial connections from the existing utility room to the lease area must be screened on all four sides of the building by the existing building parapet.
9. All antennas and equipment will be entirely enclosed within the existing building cupola.
10. The antenna array shall not extend beyond the lease area and any other equipment associated with the telecommunications facility must be placed within the interior of the existing building cupola.
14. The permittee shall erect identification signs (including emergency phone numbers of the wireless provider) on the equipment/tower site as required in Section 16.44.170(B) 7 of the Murrieta Development Code. No other signage or graphics shall be affixed to the equipment, equipment building or fence.
15. The permittee shall agree to allow the co-location of equipment of other wireless telecommunications providers at this site when applications are received by the City and it is considered feasible, subject to an agreement between the permittee, the other proposed wireless communications provider, and the property owner.
16. Equipment shall be located within the interior of the existing building cupola. The equipment enclosure shall be located within the lease area as shown on the approved site plan.
17. All proposed ancillary equipment must be placed as shown on the approved site plan. No barbed, razor wire or chain link fencing shall be utilized for the facility.
18. At such time as the facility ceases to operate, the facility shall be removed. The removal shall occur within 180 days of the cessation of the use. The Conditional Use Permit may be revoked in accordance with the provisions of the Development Code (Section 16.52.060).
19. The permittee shall comply with all applicable provisions of federal, state and local ordinances in effect at the time of building permit issuance.
20. All work done within City right-of-way shall be authorized by an encroachment permit.
21. Lighting shall be designed to avoid any light spillage onto adjacent properties, and comply with Development Code Section 16.18.110 – Mount Palomar Lighting Standards.

Prior to the issuance of building permit:

22. The permittee shall pay all applicable fees, mitigation fees or provide proof that all required fees have been paid in accordance with City policies and ordinances in effect at the time of permit issuance.
23. The permittee shall obtain approval of all necessary plans for the construction of structures on the subject property in accordance with the Murrieta Development Code. The structure elevations shall be in substantial conformance with that shown on the approved exhibit.

BUILDING DEPARTMENT:

24. Building permits shall be obtained from the Building & Safety Dept. for the proposed antenna and equipment cabinets installation. All work shall comply with the current California Building Codes (CBC), and related Codes and Ordinances of the City of Murrieta. Any alterations or addition, other than the proposed antenna or equipment cabinets to the existing structure, shall be clearly indicated on the construction plan submittal and will need to be clearly and concisely described at the application to construct

POLICE DEPARTMENT:

25. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he has control.
26. Graffiti shall be removed from the exterior walls, poles or utility boxes within 24 hours of discovery at the expense of the owner or property manager.
27. Roof Address Numbering: The building adjacent to the location of the pole shall be marked with a reflectorized material (vinyl or paint), or in a color that contrasts the color of the roofing material. The lettering must be at least 24 inches in height so that the address can be viewed from the sky and is on the flat portion of the roof of the building and does not negatively impact the aesthetics of the project. The lettering must be positioned so that the address faces the direction of the corresponding street for which the address is assigned.

FIRE DEPARTMENT:

28. City of Murrieta Fire Department requires all commercial buildings to provide flush mount Knox Box Access Systems and must be no higher than 6' off the finished ground to the right of front and rear doors as being faced. Must also be shown on architectural plans. Applications are provided by our Planning/Prevention Bureau.
29. Portable Multi-purpose fire extinguishers with a minimum rating of 2A-10BC must be installed so that the top of the fire extinguisher is not more than 5' ft above and not less than 3'ft from the bottom of the extinguisher to the floor. (2007 CFC 906.9) Contact a certified extinguisher company for proper placement of equipment.
30. Permittee shall be responsible for obtaining underground tank permits from both the County Health and Fire Departments.

31. Federal law under SARA Title III (Right To Know Act) requires that facilities with hazardous materials must provide Material Safety Data Sheets to the local Fire Department, the local Emergency Planning Committee and the State Emergency Response Commission.
32. All buildings will comply with NFPA 704 placard requirements when applicable. Contact Fire Department for information.
33. City of Murrieta Fire Department requires all buildings to provide flush mount Knox Box Access Systems and must be no higher than 6' off the finished ground to the right of front and rear doors as being faced. Entrance gates into the facility shall be provided with Knox padlocks. Contact Fire Department for applications. Also be shown on architectural plans.
34. Address directory shall be provided next to all major entranceways to this project. All buildings shall be clearly identified with designators 12" high with 1" strokes mounted on contrasting backgrounds. These designators shall be placed on all 4 sides of each building and show address locations and elevations on architectural plan.
35. Prior to release of above referenced project, the Permittee is responsible to provide all fire protection measures and information required by Fire Prevention. If any of these conditions are not met before, during or after completion of the proposed buildings, the Developer understands that he is in violation of City of Murrieta Ordinance and/or the California Fire Code, and Fire Prevention has the authority to disrupt or permanently stop the construction of the project.

FIRE FEES REQUIRED

36. A check or money order in the amount of (contact Fire Department for exact amount) shall be made payable to CITY OF MURRIETA FIRE DEPARTMENT for building plan review. Project number submitted by City of Murrieta Planning Department must be referenced in order to credit the appropriate project.
37. Murrieta City Resolution requires that fire impact mitigation fees totaling (see planning department) per square foot must be paid, as part of the Development Impact Fee, prior to release of a building permit.
38. All questions regarding the meaning of the conditions shall be referred to the Fire Department

END OF CONDITIONS