

EXHIBIT “1”

CONDITIONS OF APPROVAL

Planning Application No.: PLN24-0071 “Rockport Verizon Wireless Communications Facility (WCF)”

Description:

Major Conditional Use Permit PLN24-0071 proposes the development of a new 70-foot-tall mono-eucalyptus wireless unmanned cell site including a 347.5 sq. ft. lease area enclosed by an 8-foot-tall decorative precision block wall with cap, equipment enclosure. Additionally, faux ivy is proposed around the block wall to hide it from the public's view. For added security, there will be a chain link fence topper added to keep individuals out of the enclosure. The proposed new cellular mono-eucalyptus facility will be required to meet all FAA and FCC regulatory requirements.

The project consists of the following:

- (1) Verizon wireless telecommunication facility
- (1) 70'-0" tall mono-eucalyptus
- (12) panel antennas on new mono-eucalyptus
- (02) microwave antennas on new mono-eucalyptus
- (6) RRUs
- (3) OVPs
- (3) microcell equipment cabinets
- (1) 8'-0" tall decorative CMU block wall enclosure
- (1) 30KW diesel standby generator with a 168-gallon tank
- (1) GPS antenna
- (3) Hybri-flex cables
- (1) fiber conduit
- (1) 200A dedicated electrical service meter

The zoning and General Plan land use designation for the subject parcel is classified is Specific Plan (Menifee Village SP). The existing use of this 327.5-acre parcel is a golf course for the surrounding existing single-family residential communities. The project site is located north of Newport Road, and east of Menifee Lakes Drive, at 29875 Menifee Lakes Drive (APN: 340-030-003).

Assessor's Parcel No.: 340-030-003

MSHCP Category: Commercial

DIF Category: N/A

TUMF Category: Per WRCOG determination

Quimby Category: N/A

Approval Date: April 9, 2025

Expiration Date: April 9, 2028

Within 48 Hours of the Approval of This Project

39. **Filing Notice of Exemption (NOE).** The applicant/developer shall deliver to the Planning Division a cashier's check or money order made payable to the City in the amount of fifty dollars (\$50) for the County administrative fee, to enable the City to file the Notice of Exemption (NOE) for the project within forty-eight (48) hours of the approval of the project.
40. **Indemnification.** Applicant/developer shall indemnify, defend, and hold harmless the City of Menifee and its elected city council, appointed boards, commissions, committees, officials, employees, volunteers, contractors, consultants, and agents from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of the acts, omissions, or operation of the applicant/developer and its directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the applicant/developer with respect to the ownership, planning, design, construction, and maintenance of the Project and the Property for which the Project is being approved. In addition to the above, within 15 days of this approval, the developer/applicant shall enter into a mutually agreeable indemnification agreement with the City.

Conditions of Approval

Section I: Community Development Department Conditions of Approval

Section II: Building & Safety Department Conditions of Approval

Section III: Engineering/Grading/Transportation Department Conditions of Approval

Section IV: Fire Department Conditions of Approval

Section I:
Community Development
Department Conditions of
Approval

General Conditions

1. **Definitions.** The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. PLN24-0071 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Site Plan, Floor Plan and Elevations for Conditional Use Permit No. PLN24-0071, dated December 13, 2024.

2. **Ninety (90) Days to Protest.** The project developer has ninety (90) days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.
3. **Causes for Revocation.** In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, c) the facility has failed to comply with any applicable federal standard, d) the operation fails to comply with the requirements of the City's Municipal Code (Chapter 9 "Wireless Communication Facilities"), e) the facility (including the landscaping, hardscape or site has not been properly maintained or f) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.
4. **Expiration.** This approval shall be used within three (3) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within three (3) year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use. Prior to the expiration of the three-year period, the permittee may request a one (1) year extension of time in which to begin substantial construction or use of this permit. Should the one-year extension be obtained, and no substantial construction or use of this permit be initiated within three (3) years of the approval date this permit, shall become null and void.
5. **Business Registration.** Every person conducting a business within the City of Menifee shall obtain a business license, as required by the Menifee Municipal Code. For more information regarding business registration, contact the City of Menifee.
6. **Ceased Operations.** In the event the use hereby permitted ceases operation for a period of one (1) year or more, excluding renovation and casualty, this approval shall become null and void.
7. **Modifications or Revisions.** The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
8. **Comply with Ordinances and Codes.** The development of these premises shall comply with the standards of the City of Menifee Municipal Code and all other applicable Riverside County or City ordinances or guidelines and State and

Federal codes. The development of the premises shall conform substantially with that as shown on Exhibit A, unless otherwise amended by these conditions of approval.

9. **Removal of Shipping Container.** Prior to issuance of a building permit of the mono-broadleaf wireless communication facility, the landowner shall remove the unpermitted shipping container from the project site.
10. **Outside Lighting.** Any outside lighting shall be hooded and directed so as not to shine directly on adjoining property or public rights-of-way and so as to prevent either the spillage of lumens or reflection into the sky. All lighting shall comply with any applicable provisions of Menifee Municipal Code and Dark Sky Ordinance.
11. **Building Permit Required for Signage.** A Building permit will be required through the City's Building and Safety Department for all signage. Contact the Building and Safety Department directly for submittal requirement information.
12. **Signs Maintained.** All signs shall be maintained in a condition acceptable to the Community Development Department throughout the life of the permit. Graffiti shall be removed from all signs within twenty-four (24) hours. Damage to or malfunction of the sign shall be replaced within 48 hours.
13. **No Outdoor Advertising.** No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.
14. **Reclaimed Water.** The permittee shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site as required by Eastern Municipal Water District.
15. **Exterior Noise Levels.** Facility-related noise, as projected to any portion of any surrounding property containing a "sensitive receiver, habitable dwelling, hospital, school, library or nursing home", must not exceed the following worst-case noise levels 45 dB(A) - 10 minute noise equivalent level ("leq"), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard) and 65 dB (A) - 10 minute leq, between 7:00 a.m. and 10:00 p. m. (daytime standard).
16. **Height.** The antennas shall be concealed on the proposed mono-eucalyptus and the peak of the structure shall not measure more than sixty (70) feet in total height from existing ground surface below the center of the base of the tower to the top of the structure.
17. **Equipment Cabinet Shielding.** The ground equipment shall be located within the walled enclosure and shall not be visible from public view. The site plan shows the enclosure walls to be CMU decorative masonry block wall with cap. Changes in the above-listed materials shall be reviewed and approved by the Community Development Department.
18. **Maintenance of Hardscape and Debris Removal.** The telecommunications service provider (i.e., the wireless facility lessee) shall maintain support facilities (i.e., cleaning, painting and specifically the removal of graffiti immediately). The

property owner shall agree to perform such maintenance to the extent the telecommunications service provider fails to do so. The property owner shall consent in writing to the City's entry onto the property to inspect and, as necessary, remove debris and graffiti as well as repair or fence any support facilities which constitute a safety hazard and specifically consent to the city's ability to lien the property or place a lien on the tax roll for the repayment of such costs, plus interest, without any further notice thereof.

19. **Cell Site Physical Condition.** The cell site itself, as well as the proposed walls and lease area, shall be in good repair, including damaged or missing walls or landscaping, and/or any other apparent items needing repair.
20. **Abandoned Site.** Any wireless communication facility that is not continuously operated for a period of ninety (90) days shall be conclusively deemed abandoned except when such non-operation is the result of natural disaster, in which case the period of time shall be 180 days (six months). The telecommunications service provider shall give written notice to the City at such time as use of the facility ceases.

The telecommunications service provider shall have sixty (60) days after a notice of abandonment is mailed by the City to make the facility operable, replace the facility with an operable facility, or completely remove the facility and all supporting facilities and restore the site.

The owner of the property in a safe manner shall remove and thereafter cause the site to be restored to its original condition (wear and tear excepted) within 180 days of the removal of the facilities. Alternatively, the carrier shall provide a letter of credit or cash deposit acceptable to the City, which guarantees removal of all such equipment and restoration of the property. Bonds are not considered acceptable security. Any cash deposit shall be held in trust by the city for the express purpose of using the funds for removal of the equipment/facility.

If the owner does not do so within that period of time, the City may remove or cause to be removed the wireless communication facility at the underlying property owner's expense and place a lien on the property for the cost of such removal as set out in the written consent provided by the property owner.

If there are two or more users of a single facility, the facility shall not be deemed abandoned until all users abandon it.

21. **Subsequent Submittals and Fees.** Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Resolution No. 22-1229 (Cost of Services Fee Study). Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.
22. **Rules for Construction Activities.** The applicant shall adhere to the Best Available Control Measures (BACMs). SCAQMD Rules that are currently applicable during construction activity for the project include, but are not limited to:

Rule 1113 (Architectural Coatings); Rule 431.2 (Low Sulfur Fuel); Rule 403 (Fugitive Dust); and Rule 1186 / 1186.1 (Street Sweepers). The specific Rule 403 regulatory requirements that are applicable to the project are as follows:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the midmorning, afternoon, and after work is done for the day. Implementation of this measure is estimated to reduce PM10 and PM2.5 fugitive dust emissions by approximately 61%.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions by approximately 44%.

23. **Comply with Riverside County Environmental Health Conditions.** The applicant shall comply with the conditions contained in the letter from Riverside County Department of Environmental Health email dated May 29, 2024, attached herein.

24. **Collocation.** The applicant shall structurally design the facility to support possible future collocation should a wireless carrier propose to do so at a later date. The approval of the proposed project does not include the rights to collocate. Prior to collocating on the proposed facility, the applicant shall submit an application to the city for review and approval.

ARCHEOLOGY/PALEONTOLOGY

25. **Human Remains.** If human remains are encountered, State 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 Public Resource 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 shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

26. **Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act.

The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

27. Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).

- i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
- ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
- v. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."

28. Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:

- i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
- ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.
- iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

29. Inadvertent Paleontological Find. If paleontological materials are uncovered during grading or other earth-moving activities, the contractor shall be required to halt work in the immediate area of the find and retain a professional paleontologist to examine the materials to determine whether it is a significant paleontological resource. If this determination is positive, the resource shall be left in place, if determined feasible by the project paleontologist. Otherwise the scientifically consequential information shall be fully recovered by the paleontologist. Work may continue outside of the area of the find. However, no further work shall occur in the immediate location of the find until all information recovery has been completed and report concerning it filed with the Community Development Director. The applicant shall bear the cost of implementation of this mitigation.

LANDSCAPING

30. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blow sand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Community Development Department and the South Coast Air Quality Management District (SCAQMD).
31. **Viable Landscaping.** All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the life of this permit. To ensure that this occurs, the Community Development Department shall require inspections in accordance with the building permit landscaping install and inspection condition.
32. **Landscape Plans.** All landscaping plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance. Such plans shall be reviewed and approved by the Community Development Department, and the appropriate maintenance authority.
33. **Maintenance of Landscaping.** All private landscaping shall be maintained by the individual property owner. All landscaping, and similar improvements not properly maintained by the individual property owners must be annexed into a Lighting and Landscape District, or other mechanism as determined by the City of Menifee.

FEES

34. **Subsequent Submittals and Fees.** Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Resolution No. 22-1229 (Cost of Services Fee Study). Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

Prior to Grading Permit Issuance (or any ground disturbing activities)

35. **Fugitive Dust Control.** The permittee shall implement fugitive dust control measures in accordance with Southern California Air Quality Management District (SCAQMD) Rule 403. The permittee shall include in construction contracts the control measures required under Rule 403 at the time of development, including the following:

Use watering to control dust generation during demolition of structures or break-up of pavement. The construction area and vicinity (500-foot radius) must be swept (preferably with water weepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 10 percent surface soil moisture content throughout all earth moving activities. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50%.

Water active grading/excavation sites and unpaved surfaces at least three times daily;

- a. All paved roads, parking and staging areas must be watered at least once every two hours of active operations;
- b. Site access points must be swept/washed within thirty minutes of visible dirt deposition;
- c. Sweep daily (with water sweepers) all paved parking areas and staging areas;
- d. Onsite stockpiles of debris, dirt or rusty material must be covered or watered at least twice daily;
- e. Cover stockpiles with tarps or apply non-toxic chemical soil binders;
- f. All haul trucks hauling soil, sand and other loose materials must either be covered or maintain two feet of freeboard;
- g. All inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind drive fugitive dust;
- h. Install wind breaks at the windward sides of construction areas;
- i. Operations on any unpaved surfaces must be suspended when winds exceed 25 mph;
- j. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more, so as to prevent excessive amounts of dust;
- k. All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards;
- l. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- m. Traffic speeds on unpaved roads must be limited to 15 miles per hour;
- n. Provide daily clean-up of mud and dirt carried onto paved streets from the site;
- o. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- p. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust;
- q. Operations on any unpaved surfaces must be suspended during first and second stage smog alerts; and,
- r. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

36. **Preconstruction Burrowing Owl Survey.** Pursuant to Objective 6 and Objective 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan, within thirty (30) days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist and the results of this presence/absence survey shall be provided in writing to the City of Menifee Community Development Department. If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. However, when the Burrowing Owl is present, relocation outside of the nesting season (March 1 through August 31)

by a qualified biologist shall be required. The City shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites. Occupation of this species on the project site may result in the need to revise grading plans so that take of "active" nests is avoided or alternatively, a grading permit may be issued once the species has been actively relocated.

If the grading permit is not obtained within thirty (30) days of the survey a new survey shall be required.

No ground disturbance, including disking, blading, grubbing or any similar activity (except for agricultural production on-site which has been a historic and on-going use of the property) shall occur within the site until the burrowing owl study is reviewed and approved.

37. **Fees.** Prior to the issuance of grading permits, the Community Development Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

Prior to Building Permit Issuance

38. **Menifee Union School District.** Impacts to the Menifee Union School District shall be mitigated in accordance with California State law.
39. **Perris Union High School District.** Impacts to the Perris Union High School District shall be mitigated in accordance with California State law.
40. **Open Space Fee (MSHCP).** Prior to the issuance of a building permit, the applicant shall comply with the provisions of City of Menifee Municipal Code Chapter 8.27 (hereinafter Chapter 8.27), which requires the payment of the appropriate fee set forth in the Ordinance.

The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval.

41. **Submit Building Plans.** Prior to the issuance of a Building Permit, the permittee shall submit building plans with the City of Menifee Building and Safety Department. The building plans shall be in substantial conformance with APPROVED EXHIBIT A.
- Colors and Materials Exhibit
 - Building and Safety will require the following items:
 - All Design components shall comply with applicable current adopted code provisions of the California Building, California Residential Code, Plumbing and Mechanical Codes; California Electrical Code; California Administrative Code, California Energy Codes, California Green Building Standards, California Title 24 Disabled Access Regulations, and City of Menifee Municipal Code. Three (3) sets of plan drawings shall be submitted along with two (2) copies of structural and Title 24 Energy documentation.

- All exterior lighting shall comply with Ordinance, "Dark Sky Ordinance".
 - All exterior lighting shall fall within current commercial standards.
 - Separate plan submittal will be required by Riverside County Fire along with a formal transmittal issued by Building and Safety.
42. **Elevations.** Elevations of all structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT A.
43. **Color and Materials.** The materials on all structures submitted for building plan check approval shall be in substantial conformance with that shown on APPROVED EXHIBIT A. All colors and materials shall be consistent with the existing structures on-site, primarily comprised of beige or natural earth-tones consistent with the surrounding environment.
44. **Signage.** Prior to the issuance of building permits, the applicant or their successor-in-interest shall submit a copy of the sign that will be installed at the facility. That sign is required to have the following information:
- Address of wireless communications facility and any internal site identification number or code;
 - Name(s) of company who operates the wireless communications facility;
 - Full company address, including mailing address and Division name that will address problems;
 - Telephone number of wireless communications facility company; and,
45. **Lighting.** Lighting fixtures shall be decorative. Shoe-box-type lighting will not be allowed. The types of lighting fixtures used shall be subject to Community Development Department approval. Architecturally appropriate themed lighting fixtures shall be located along the project perimeter, project entrances, and other focal points on the project site and shall be subject to Community Development Department review and approval.
46. **Performance Securities.** Performance securities, in amounts to be determined by the Director of Community Development to guarantee the installation of plantings, irrigation system, walls and/or fences, in accordance with the approved plan, shall be filed with the Department of Community Development. Securities may require review by City Attorney and other staff. Permit holder is encouraged to allow adequate time to ensure that securities are in place. The performance security may be released one year after structural final, inspection report, and the One-Year Post Establishment report confirms that the planting and irrigation components have been adequately installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or less.
47. **Landscape Inspections.** Prior to issuance of building permits, the permit holder shall open a Landscape Deposit Based Fee case and deposit the prevailing deposit

amount to cover the pre installation, installation, Six Month, and One Year Landscape Inspections. The amount of hours for pre installation, installation, Six Month, and One Year Landscape Inspections is estimated to be \$5,000.

48. **FCC Compliance.** Prior to issuance of a building permit, the permit holder shall perform a radio frequency (RF) compliance pre-construction evaluation to indicate compliance with FCC Guidelines and submit the results of this evaluation to the Community Development Department. Please refer to the FCC Office of Engineering and Technology Bulletin 65 for information on RF exposure guidelines.

Prior to Building Final Inspection

49. **Final Planning Inspection.** The permittee shall obtain final occupancy sign-off from the Planning Division for each Building Permit issued by scheduling a final Planning inspection prior to the final sign-off from the Building Department. Planning staff shall verify that all pertinent conditions of approval have been met, including compliance with the approved elevations, site plan, and landscaping plans, etc. The permittee shall have all required walls, landscaping and automatic irrigation installed and in good condition.
50. **Cell Tower Physical Condition.** The tower itself, as well as the proposed walls and lease area, shall be in good repair, including damaged or missing walls or landscaping, and/or any other apparent items needing repair.
51. **Elevations.** The elevations and colors shall conform substantially with that shown on APPROVED EXHIBIT A.
52. **Roof Mounted Equipment.** Prior to final occupancy, Community Development staff will verify that all roof-mounted equipment has been screened in compliance with the approved plans.
53. **Utilities Underground.** All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Community Development Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.
54. **Landscape/Irrigation Install Inspection.** The permittee landscape architect responsible for preparing the Landscaping and Irrigation Plans shall arrange for a Pre-Landscape installation inspection and a Landscape Completion Installation Inspection with the Community Development Department. The pre-landscape inspection shall be arranged at least fifteen (15) working days prior to installation of landscaping. The landscape completion inspection shall be arranged at least fifteen (15) working days prior to final inspection of the structure. A One Year Post-Establishment Inspection will also be required. The Community Development Department will require a deposit in order to conduct the landscape inspections.
55. **Landscape Installation.** All required landscape planting and irrigation, including but not limited to onsite, shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans, Menifee Municipal Code Chapter

15.04 (as adopted and any amendments thereto), Eastern Municipal Water District requirements and the Riverside County Guide to California Landscaping. All landscape and irrigation components shall be in a condition acceptable to the Community Development Department. The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and determined to be in good working order.

56. **Final Landscape Approval.** The final landscape approval following installation shall be subject to the review and approval of the City's Landscape Architectural Consultant and the Community Development Director. The Community Development Director may require additional trees, shrubs and/or groundcover as necessary, if site inspections reveal landscape deficiencies that were not apparent during the plan review process.
57. **Condition Compliance.** The Community Development Department shall verify that the Development Standards and all other preceding conditions have been complied with prior to any use allowed by this permit.

FEES

58. **Fees.** Prior to issuance of occupancy/final inspections, the Planning Division shall determine if the deposit-based fees for project are in a negative balance. If so, any outstanding fees shall be paid by the permittee.

Section II:
Building and Safety Department
Conditions of
Approval

General Conditions

70. **Final Building & Safety Conditions.** Final Building & Safety Conditions will be addressed when building construction plans are submitted to Building & 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.
71. **Compliance with Code.** All Design components shall comply with applicable provisions of the 2019 edition of the California Building, Plumbing and Mechanical Codes; 2019 California Electrical Code; California Administrative Code, 2019 California Energy Codes, 2019 California Green Building Standards, and City of Menifee Municipal Code. If a code cycle changes prior to submission of any plans or documents, the plans submitted shall be updated to the current State of California, Title 24, Code of Regulations, City of Menifee Ordinance, or any other state, federal, or city requirements.
72. **County of Riverside Mount Palomar Ordinance.** Applicant shall submit, at the time of plan review, a complete exterior site lighting plan with a “photometric study” 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 & Safety Department. 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 and below.
73. **Street Name Addressing.** Applicant must obtain street name addressing for all proposed buildings by requesting street name addressing and submitting a site plan for new cell towers, commercial, residential/tract, or multi-family residential projects.
74. **Obtain Approvals Prior to Construction.** Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
75. **Obtaining Separate Approvals and Permits.** Temporary construction/sales trailers, temporary power poles/generators, trash enclosures, patio covers, light standards, building and monument signage, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.
76. **Demolition.** (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.
77. **Hours of Construction.** Signage shall be prominently posted at the entrance of the project indicating the hours of construction, as allowed by the City of Menifee Municipal Ordinance 8.01.010, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday 6:30am to 7:00pm. No work is permitted on Sundays and nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.
78. **House Electrical Meter.** Provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

At Plan Review Submittal

79. **Submitting Plans and Calculations.** Applicant must submit to Building & Safety one (1) complete set of each document listed below for electronic submittals or, seven (7) complete sets of plans and two (2) sets of supporting documents, two (2) sets of calculations for review.

Prior to Issuance of Building Permits

80. All associated Building Fees to be paid.
81. Each Department is **required** to Approve, with a signature.

Prior to Start of Construction

82. **Pre-Construction Meeting.** A pre-construction meeting is required with the building inspector prior to the start of the building construction.

Prior to Final Inspection

83. Each department that has conditions shall have completed and approved their final inspection prior to requesting the final inspection by the Building and Safety Department.

Section III:
Engineering/Public Works
Department Conditions of
Approval

General Conditions

84. All required public improvements must be constructed and accepted by the City prior to issuance of the first and any subsequent certificate of occupancy, unless approved by City Engineer/Public Works Director.
85. **Existing and Proposed Easements** - The final grading plan and improvement plans shall correctly show all existing easements, traveled ways, drainage courses, and encumbrances. Any omission or misrepresentation of these documents may require said plan to be resubmitted for further consideration.
86. **Regulations and Ordinance on Grading Within the City** – In addition to compliance with City Chapter 8.26, grading activities shall also conform to the latest edition of the California Building Code, City General Plan, other City Ordinances, City design standards and specifications and all other relevant laws, rules and regulations governing grading in the City of Menifee. Prior to commencing any grading, clearing, grubbing or any topsoil disturbances, the applicant shall obtain a grading permit from the Public Works / Engineering Department. Grading activities that are exempt from a grading permit as outlined by the City ordinance may still require a grading permit by the Public Works Director / City Engineer when deemed necessary to prevent the potential for adverse impacts upon drainage, sensitive environmental features, or to protect property, health safety, and welfare.
87. **Drainage Grade** - Minimum drainage design grade shall be 1% except on Portland cement concrete surfaces where 0.35% shall be the minimum. The engineer of record must submit a variance request for design grades less than 1% with a justification for a lesser grade.
88. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
89. **Use of Maximum and Minimum Grade Criteria** – Actual field construction grades shall not exceed the minimum and maximum grades for ADA and approved project grading design, to allow for construction tolerances. Any improvement that is out of the minimum and maximum values will not be accepted by the City Inspector and will need to be removed and replaced at the developer's or owner's expense.
90. **Licensed Geotechnical Engineer** - A California licensed Geotechnical Engineer shall perform final determination of the foundation characteristics of soils within on-site development areas, and per the approved geotechnical report reviewed and approved by the City.
91. **Site Drainage** - Positive drainage of the site shall be provided, and water shall not be allowed to pond behind or flow over cut and fill slopes. Where water is collected and discharged in a common area, protection of the native soils shall be provided by planting erosion resistant vegetation, as the native soils are susceptible to erosion by running water. All cut and fill slopes shall have a maximum 2:1 (H:V) grade, 2 horizontals to 1 vertical.

92. **Construction Traffic Control Plan** - Prior to the start of any project related construction, the developer/property owner shall submit to the Public Works Engineering Department for review and approval, a Construction Traffic Control Plan in compliance with all applicable City ordinances, standards and specifications, and the latest edition of the CAMUTCD. This traffic control plan shall address impacts from construction vehicular traffic, noise, and dust and shall propose measures to mitigate these effects. The traffic control plan shall include a Traffic Safety Plan for safe use of public roads right-of-way during construction.
93. **Encroachment Permits** – The developer/property owner shall obtain all required encroachment permits and clearances prior to start of any work within City, State, or local agency right-of-way.
94. **Stormwater Management** - All City of Menifee requirements for NPDES and Water Quality Management Plans (WQMP) shall be met per City of Menifee Municipal Code Chapter 15.01 for Stormwater/Urban Runoff Management Program unless otherwise approved by the Public Works Director/City Engineer. This project is required to submit a project specific WQMP prepared in accordance with the latest WQMP guidelines approved by the Regional Water Quality Control Board.
95. **Waste Recycling Plan.** Prior to the issuance of a building permit for each building, a Waste Recycling Plan (WRP) shall be submitted to the City of Menifee Engineering/Public Works Department for approval. Completion of Form B “Waste Reporting Form” of the Construction and Demolition Waste Diversion Program may be sufficient proof of WRP compliance, as determined by the Public Works Director / City Engineer. At minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amounts of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins; one for waste disposal and the other for recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used to further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.
96. **Waste Management Clearance.** Prior to issuance of an occupancy permit for each building, evidence (i.e., receipts or other type of verification) shall be submitted to demonstrate project compliance with the approved WRP to the Engineering and Public Works Department in order to clear the project for occupancy permits. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled. Completion of Form C, “Waste Reporting Form” of the Construction and Demolition Waste Diversion Program along with the receipts may be sufficient proof of WRP compliance, as determined by the PW Director / City Engineer.

97. **Fees and Deposits** – Prior to approval of final maps, grading plans, improvement plans, issuance of building permits, and/or issuance of certificate of occupancy, the developer/property owner shall pay all fees, deposits as applicable. These shall include the regional Transportation Uniform Mitigation Fee (TUMF), any applicable Traffic Signal Mitigation Fees, Development Impact Fees (DIF), and any applicable Road and Bridge Benefit District (RBBD) Fee. Said fees and deposits shall be collected at the rate in effect at the time of collection as specified in current City resolutions and ordinances.

Section IV:
Riverside County Fire Department
Conditions of Approval

General Conditions

98. Generators (if any) shall be properly placed and comply with current code requirements and protected from the public. (A permit shall be pulled for the installation of the generator – NOT REVIEWED AS PART OF THIS SUBMITTAL).
99. Display street numbers in a prominent location on the address side of buildings(s) and rear access if applicable. Numbers and letters shall be a minimum of 12" in height for building(s) up to 25' in height and 24" in height for building(s) exceeding 25' in height. All addressing must be legible, of a contrasting pg. 2 color with the background and adequately illuminated to be visible from the street at all hours. All lettering shall be the Architectural Standard.
100. Install a portable fire extinguisher, with a minimum rating of 4A 80:BC, for every 1,000 sq. ft. and/or 30 feet of travel distance in work areas. Fire extinguishers shall be mounted no higher than 5ft. above finished floor, measured to the top of the extinguisher. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed; or within one year from the date of month and year of manufacture. (NOTE: If only a year of manufacture is indicated, maintenance shall be due January 1st of the year following.)
101. Knox Boxes – Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the fire code is authorized to require a key box to be installed in an improved location.
102. Placards. Placards shall be applied on the structure if the building and visible from the street. Additional placards may be required on equipment or room. (704, contact information etc.)

HAZARDOUS MATERIALS MANAGEMENT BRANCH

Prior to building permit final, this facility shall be required to contact and have a review conducted by the Hazardous Materials Management Branch (HMMB). A business emergency plan for the storage of any hazardous materials, greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances will be required. If further review of the site indicates additional environmental health issues, HMMB reserves the right to regulate the business in accordance with applicable County Ordinances. Please contact HMMB at (951) 358-5055 to obtain information regarding any additional requirements.

Thank you,



Alberto Lopez, MEA, REHS
Supervising Environmental Health Specialist
Riverside County Department of Environmental Health
Environmental Cleanup Program
4080 Lemon Street, 10th Floor, Riverside, CA 92501
Phone: 951-955-8980
Fax: 951-955-8988
E-mail: allopez@rivco.org
www.rivcoeh.org

END OF CONDITIONS

The undersigned warrants that he/she is an authorized representative of the project referenced above, that I am specifically authorized to consent to all of the foregoing conditions, and that I so consent as of the date set out below.

Signed

Date

Name (please print)

Title (please print)

