

EXHIBIT B
CONDITIONS OF APPROVAL
SPECIAL USE PERMIT NO. 20-01

The departments and divisions listed below have primary responsibility for implementing listed conditions of approval.

LEGEND:	B = Building	CA = City Attorney	F = Fire District
	PD = Police Dept.	PL = Planning	PW = Public Works

Special Conditions

1. The panel antennas shall be camouflaged to match the existing surrounding vegetation. (PL)
2. The antenna monopole shall not exceed 35-feet in height. (PL)
3. The ground-level equipment cabinets shall be contained within the existing equipment shelter. (PL)

Community Development and Public Services Standard Conditions

4. The permit is granted for the property as described in the application and shall not be transferable from one parcel to another. (PL)
5. This permit shall become null and void within 12 months from the date of its issuance, unless the proposed development or use has been diligently pursued. The issuance of a building permit for structural construction shall be a minimum requirement for evidence of diligent pursuit. (PL)
6. The development or use by the applicant/grantee of any activity or structure authorized by this permit shall constitute acceptance of all of the conditions and obligations imposed by the City on this permit. The applicant/grantee by said acceptance waives any challenge as to the validity of these conditions. (CA)
7. Applicant/developer agrees as a condition of approval of this resolution to indemnify the City and to defend as the developer's owner expense and its agents, officers and employees against and from any claim, action or proceeding brought within the time period provided for in Section 66499.37 of the Government Code to attack, set aside, void or annul the approval of this resolution. City shall promptly notify developer of such claim, action or proceeding of which City receives notice, and City will cooperate fully with developer in the defense thereof. Developer shall reimburse the City for any court costs and attorney's fees which the City may be required to pay as a result of any such action. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve the developer of the obligations of this condition. (CA)

8. A building permit shall be secured for any new construction or modifications to structures authorized by this permit. (B)
9. The location and elevations of the monopole, antennas, and equipment cabinets shall substantially conform to black-line prints submitted with this application, unless amended specifically by a condition of this resolution or by a major modification. The final building plans submitted with the building permit application shall clearly indicate all building materials and colors to be used in construction. (B, PL)
10. Minor changes or minor increases in the extent of use or size of structures may be approved by the Planning Director, but any substantial change or increase will require the filing and approval of a major modification by an amended permit by the Planning Commission. (PL)
11. Minor changes in the final design or materials and colors for installation of the monopole, antennas, equipment cabinets, and any other component of the project may be approved by the Planning Director with the filing of a minor modification permit to this project. Any request for a minor modification shall be accompanied by three copies of any plans reflecting the requested modification. (PL)
12. Prior to the issuance of a building permit, a reproduction of all conditions of this permit approval as adopted by resolution of the Planning Commission and/or City Council shall be part of, and incorporated into, all sets of the construction documents, and specifications for this project. A reproduction of all conditions shall be included on each set of the job/construction documents. (B, PL)
13. The developer/applicant shall paint all exterior surfaces of the equipment cabinet building with graffiti resistant paint wherever possible. (PL)
14. The developer/applicant shall maintain the site and subject property free of any graffiti. (B)
15. Graffiti applied to any surface of the subject property shall be removed within twenty-four (24) hours of the developer/applicant being notified by the City. The City may remove the graffiti if the developer/applicant fails to remove the graffiti within 24 hours; the developer/applicant shall reimburse the City for the graffiti-removal work. (B)
16. Plans submitted for design review approval shall be considered final design drawings. Any changes to the exterior shall be subject to approval of the Planning Commission except minor changes may be approved by staff. (PL)
17. A copy of these conditions shall be duplicated and submitted with the building construction drawings cover sheet. (PL)
18. If at any time it has been determined that the applicant or successor has failed to abide by any conditions set forth in these Conditions of Approval or applicable laws of the City of

Hercules, the Planning Commission shall have the authority to revoke the project permit, as authorized in Section 50.700 of the Zoning Ordinance. (PL)

19. If the applicant or successor abandons, discontinues, or changes the use of the facility authorized under this permit for a continuous period of six (6) months or more, Conditional Use Permit 11-02 shall be considered abandoned and shall no longer be valid, and reported as such to the Planning Commission, as stipulated in Section 50.600 of the Zoning Ordinance. (PL)

Standard Public Works Conditions

20. Developer shall pay plan check and processing fees in effect at the time of permit application, and development fees, encroachment permit fees, and other miscellaneous applicable fees in effect at the time building permits are issued. (PW)
21. Developer shall remove and replace any improvements adjacent to the project site that are damaged during construction, as determined and directed by the Public Works Inspector. (PW)
22. Prior to construction, the Engineering Division shall approve permits for the following:
 - a. Grading
 - b. Encroachment

Standard Fire District Conditions

23. The developer shall provide on-site fire protection and access as determined necessary by the Fire District. (FD)
24. Design, installation, and maintenance of the water supply for any on-site fire protection system shall be subject to approval by the Fire District.
25. Construction plans will be required for the Fire District to provide a complete and final review prior to construction. A minimum of two (2) sets shall be provided. The Fire District will retain one set and return the remainder with comments.

These are preliminary comments based on the concept as presented. The Fire District may require construction plans for a more proper review and comment.