

Exhibit “D”

PLANNING CASE NO. PL23-0440

CONDITIONS OF APPROVAL

This Project is conditionally approved as set forth on the design review plans received by the City of Escondido on January 01, 2024, and the Project architectural design plan consisting of Plotting Plan, Floor Plans, and Architectural Colored Elevations; all designated as approved on July 09, 2024, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, and the Applicant’s successors in interest, as may be applicable.

A. General:

- 1. Acceptance of Architectural Design Plan.** If the Applicant fails to file a timely and valid appeal of this Design Review process within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a.** Acceptance of the Architectural Design Review by the Applicant; and
 - b.** Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Architectural Design Review process or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Architectural Design Plan.
- 2. Certification.** The Director of Development Services, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Architectural Design Plans and any other relevant document comprising the design review in its entirety, as necessary to make them internally consistent and in conformity with the final action on the architectural design plans. This includes amending the architectural design plans as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. A final Approved Architectural Design Plan set, shall be submitted to the Planning Division for certification electronically. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.

3. Conformance to Approved Architectural Design Plans.

- a. The operation and use of the subject property shall be consistent with the Project Description and Details of Request, designated within the architectural design plan set.
- b. Nothing in this shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this architectural design plan set.
- c. Once architectural design plan has been approved, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Development Services to be in substantial conformity with the approved architectural design plan set, including all exhibits and conditions attached hereto. Modifications beyond the scope described in the architectural design plan set may require submittal of an amendment to the architectural design plan and approval by the authorized agency.

4. Compliance with Federal, State, and Local Laws. Nothing in this architectural design plan process shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this architectural design plan. The approval of the architectural design plan does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this architectural design plan process approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this architectural design plan process is conducted in full compliance with all local and state laws.

B. Construction, Maintenance, and Operation Obligations:

- 5. Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Development Services, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of the architectural design plan request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.
- 6. Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.

7. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
8. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.
9. **Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
10. **Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.

C. Specific Planning Division Conditions:

1. The applicant shall be responsible for ensuring that all Conditions of Approvals identified included as Exhibit "D" to this resolution, are implemented.