

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 914-05

GENERAL CONDITIONS

1. If Design Overlay Review No. 914-05 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission as Exhibits "C-1" and "D-1" respectively in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
4. The applicant shall make any necessary site plan and design revisions in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial changes will require review by the Planning Commission.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, the permit shall lapse, provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
8. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
9. Within forty-eight hours of approval of the subject project, the applicant shall deliver to the Planning Division a cashier's check or money order payable to the County Clerk in the amount of \$25.00 (twenty-five dollars) pursuant to AB 3185, Chapter 1706, Statutes of 1990, to enable the city to file the Notice of

Determination required under Public Resources Code Section 21152 and 14 California. Code of Regulations 15075. If within such forty-eight hour period the applicant has not delivered to the Planning Division the above-noted cashier's check or money order, the approval for the project granted herein may be considered automatically null and void.

10. In addition, should the Department of Fish and Game reject the Certificate of Fee Exemption filed with the Notice of Determination and require payment of fees, the applicant shall deliver to the Planning Division, within forty-eight hours of notification, a cashier's check or money order payable to the County Clerk in the amount of \$1,250 (one thousand two hundred fifty dollars) pursuant to AB 3158, Chapter 1706, Statutes of 1990. If this fee is imposed, the subject project shall not be operative, vested or final unless and until the fee is paid.
11. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
12. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.

PARKING

13. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
14. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
15. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
16. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
17. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
18. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
19. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

20. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
21. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
22. 6" x 6" concrete curbs are required around all landscaped planter areas.
23. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
24. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Vine-like landscaping along perimeter walls;
 - d. Annual flowers wherever possible; and
 - e. Irrigation system designed to commercial grade standards.

GRAFFITI LANDSCAPING

25. The applicant shall incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Division, to graffiti.

UTILITIES

26. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
27. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
28. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

29. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into all building facades, subject to Planning Division approval.
30. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the General Manager.
31. Wrought iron and railings, if included, shall be sculptured or otherwise designed in such a way as to create interest.

32. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
33. All trash and inoperable vehicles shall be removed prior to the issuance of a building permit. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
34. Vehicle repairs shall be done only in accordance with Section 9122.7 of the Zoning Ordinance. Said repairs must be an accessory use, not a primary use.
35. Graffiti shall be removed from all project areas within 15 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

SIGNS

36. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.
37. All permitted business signs must be in compliance with the provisions of Section 9136.7 or 9146.7 of the Zoning Ordinance.

FENCES/WALLS

38. Perimeter walls shall be architecturally coordinated with the project buildings and subject to the approval of the Planning Division.
39. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 (industrial zones) of the Zoning Ordinance.

LIGHTING

40. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (industrial zones) of the Zoning Ordinance.

TRUCK LOADING AND MANEUVERING

41. All truck loading areas shall be properly marked according to Section 9162.66 of the Zoning Ordinance.
42. All truck loading facilities, maneuvering areas and parking and stacking spaces shall be designed to the standards outlined in Section 9162.62 of the Zoning Ordinance.

BUILDING AND SAFETY

43. A landfill gas protection plan prepared by a licensed Civil Engineer will be required prior to the issuance of building permits.
44. The applicant shall demolish all existing structures prior to the issuance of a building permit.

TRASH

45. The trash enclosure(s) shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
46. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

EASEMENTS

47. A Covenant and Agreement form for an existing easement shall be recorded with the Los Angeles County Recorder's office prior to the issuance of a building permit. Said document shall indicate all easements.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

48. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
49. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
50. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.
51. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
52. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.

PUBLIC SAFETY - CITY OF CARSON

53. Ensure compliance with non-structural seismic mitigation measures, e.g. overhead glass treatments should use safety glass or film; vending machines, ice machines (if used) and other types of machines and equipment should be bolted or braced. Pictures and decorative items within common areas shall be secured for earthquake safety.
54. Ensure compliance with current seismic mitigation codes.

55. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

57. A construction permit is required for any work to be done in the public right-of-way.
58. Prior to issuance of Building Permit, the applicant shall dedicate 5-foot wide of the property along 168th Street to match existing right of way width west of the proposed project for public right of way purposes. The applicant shall submit a road deed signed by the owner and notarized, and a legal description prepared and signed by a Licensed Land Surveyor for the required dedication. The deed shall be recorded with the L.A. County Recorder's Office.
59. Remove existing driveway not serving the site and construct sidewalk and curb and gutter per City of Carson Standard Drawing Nos. 118 and 108.
60. Install sidewalk and curb and gutter on the south side of 168th St. fronting the proposed development per City of Carson Standard.
61. Plant approved parkway trees and install root barrier in tree wells on 168th Street per City of Carson Standard Nos. 117, 132, 133 and 134.
62. Install irrigation system for the purpose of maintaining the parkway trees to be planted on 168th Street.
63. Construct new driveway approaches per city standard and in compliance with the ADA requirements. The applicant shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway width allowed for the site is 30 feet. The minimum distance required from edge of driveway to any improvement is 5 feet.
64. Where sidewalks meander around the proposed driveway and extending beyond the public right-of-way, the required described sidewalk easements shall be submitted and approved prior to building permit issuance.
65. Install streetlights on the south side of 168th Street fronting the proposed development subject to the approval of the L.A. County Street Lighting Division and the City Engineer.
66. Annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the required streetlights. The annexation shall be completed prior to the issuance of the Certificate of Occupancy.

67. Submit a drainage study prepared by a Registered Civil Engineer. The study shall include existing and proposed conditions including key elevations, drainage patterns, and the locations of facilities to discharge storm water to a safe and adequate point capable of handling the flows. The study shall be approved by the City Engineer prior to building permit issuance.
68. The applicant shall construct or guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.
69. The applicant shall submit plans to the Department of Public Works showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
70. Prior to issuance of Building Permit, the applicant shall provide a statement from the water purveyor indicating that the purveyor will operate the water system, and that under normal conditions, the system will meet the requirements for the proposed development.
71. Prior to issuance of Building Permit, the applicant shall provide permit from L.A. County Department of Public Works, Sewer Division, to connect to existing sewer main line in the public right of way. It is the applicant's responsibility to determine if capacity is available in the sewerage system to be used as the outlet for the sewer in this development. If the system is found to have insufficient capacity, the problem must be resolved to the satisfaction of the L.A. County Sewer Division.
72. The applicant shall underground existing overhead utility line on 168th St. abutting the proposed development.
73. The applicant shall remove existing block wall on 168th St. and relocate to future right of way line and to the satisfaction of the city.
74. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of the Certificate of Occupancy.
75. The applicant shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
76. Prior to issuance of Building Permit, the following must be on file:

- a. Drainage/Grading plan as approved by the Los Angeles County Department of Public Works.
 - b. Construction bond as required for all work to be done within the public right of way.
 - c. Proof of Worker's Compensation and Liability Insurance.
77. Any improvement damaged during the construction shall be removed and reconstructed per City standard plan and to the satisfaction of the City Engineer prior to issuance of Certificate of Occupancy.
78. The applicant shall construct or guarantee the construction of all the required street improvement in the public right of way prior to issuance of Certificate of Occupancy.
79. The applicant may elect to pay the cost to complete the required street improvements in the public right of way, and it will be included in the City's future improvement projects. The cost to complete the required improvements is \$69,500, excluding the cost to underground existing overhead utility line. Utility line undergrounding cost will be determined by SCE, the applicant will be notified as soon as the cost estimate is received from SCE. Should the applicant decide to construct the required improvements, it should be completed prior to the issuance of the Certificate of Occupancy.
80. At the time of the final improvement plan approval, the developer's engineer shall submit the approved project electronically stored on 3-1/2" diskette or CD in AutoCad format to Engineering Services Department, in compliance with the requirement of the City of Carson.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

81. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.
82. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 914-05. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter

following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.