

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 966-06
CONDITIONAL USE PERMIT NO. 636-06

GENERAL CONDITIONS

1. If Design Overlay Review No. 966-06 and Conditional Use Permit No. 636-06 are not used within one year of their effective date, said permits shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
4. 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.
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 ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; 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. 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 \$50.00 (fifty dollars) pursuant to SB 1535, 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.

8. 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 \$1,800 (one thousand eight hundred dollars) pursuant to SB 1535, 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.
9. 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.
10. 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.
11. 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. 966-06 and Conditional Use Permit No. 636-06. 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.

PARKING

12. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
13. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
14. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.

15. 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.
16. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
17. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

18. 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.
19. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
20. The applicant shall install 6" x 6" concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.
21. 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.
22. The west (rear) elevation of the convenience store shall have landscaping trellises, constructed of painted metal, permanently installed to provide a means for climbing vines, or other approved landscaping to cover the rear wall and deter graffiti.
23. The landscaped planter areas along the north property line, north and east of the convenience store area shall, in the opinion of the Planning Manager, be of an acceptable square footage in area with a minimum of one thirty inch box specimen tree spaced 25 feet on center.
24. Trees are required along the south property line, within the landscaped setback areas, calculated at a rate of one tree per 25 linear feet. A minimum of seven trees are required. Trees are also required in the southwest corner of the interior landscape area. The size and type of trees shall be subject to approval of the Planning Division.

25. 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;
 - b. Annual flowers wherever possible; and,
 - c. Irrigation system designed to commercial grade standards.
26. The landscaped planter area along the south property line, located between the two driveways, shall provide for grass near the existing bus shelter and shall include the required trees as described in Condition No. 23 noted above.

UTILITIES

27. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
28. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
29. Existing utility poles and all newly required utilities on the subject property shall be placed underground. This includes utilities to be undergrounded to the center median of Del Amo, between the northwest and southwest corners of the Del Amo Boulevard and Wilmington Avenue intersections, if required as part of completing the undergrounding of utilities onsite.
30. 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

31. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, subject to Planning Division approval.
32. Any satellite dishes shall be screened from public view.
33. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the General Manager.
34. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
35. Graffiti shall be removed from all project areas within 3 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. 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.
39. A six-foot high wrought iron fence, landscaping, or similar effective barrier alternative shall be placed along the full extent of the north property line, subject to the discretion and approval of the Planning Division.

LIGHTING

40. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) of the Zoning Ordinance.
41. A lighting plan which details locations, orientation, illumination and light standard dimensions shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.
42. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

TRUCK LOADING AND MANEUVERING

43. All truck loading facilities, maneuvering areas and parking spaces shall be designed to the standards outlined in Section 9162.62 of the Zoning Ordinance.

TRASH

44. The trash enclosure and recycling area 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. A painted metal, self-closing door shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).

45. 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

46. 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.
47. Notify Kinder-Morgan regarding Line Section 101, Sheet 19 at least two weeks prior to the commencement of work to ensure that the alignment of the idle 12-inch pipeline is not affected.

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. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
52. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
53. All hydrants shall measure 6" x 4" x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All hydrants shall be installed a minimum of 25' from a structure or protected by a two hour fire wall. Location as per map on file with this office.
54. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
55. Submit fire flow information to this office for approval.

PUBLIC SAFETY - CITY OF CARSON

56. 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.

57. Ensure compliance with current seismic mitigation codes.
58. 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.
59. Automobile fluid leakage shall be disposed of properly. Leakage shall be prevented flowing to storm drains and shall be properly treated so that no potential harm to the environment or to persons exists.
60. The applicant shall provide an adequate number of fire hydrants as determined by the Fire Department. Prior to approval of land use permits, the applicant shall meet with the County Fire Department to review placement of additional fire hydrants throughout the site. Hydrants shall be installed prior to building permit issuance.
61. Public phones, if any, shall be placed at the front of the convenience store, in clear line-of-site from the cash register (customer payment) area, or other area where employees who are required to stand in place for extended periods of time have clear view to the phone area.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

62. Prior to issuance of Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer and drainage information have been received and found satisfactory.
63. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.
64. Dedicate right-of-way 65-ft from centerline along the development frontage on Wilmington Avenue. (15-ft of additional right-of-way is required beyond the existing right-of way line).
65. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
66. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
67. Repair any broken or raised sidewalk, curb and gutter along Del Amo Blvd and along Wilmington Avenue within or abutting this proposed subdivision per City of Carson Standard and to the satisfaction of the City Engineer.
68. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.

69. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
70. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway width allowed for the site is 35 feet.
71. Where sidewalks meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
72. Remove unused driveway if any, and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
73. Modify wheelchair ramp at the corner of Del Amo Blvd and Wilmington Avenue per City of Carson Standard in compliance with ADA requirements.
74. Install streetlights on concrete poles with underground wiring along Del Amo Blvd and along Wilmington Avenue to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
75. All existing overhead utility lines less than 50 kilovolts and all new overhead utility lines shall be underground to the satisfaction of the City Engineer.
76. Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
77. Install irrigation system for the purpose of maintaining the parkway trees to be planted along the frontage of the development on Del Amo Blvd and along Wilmington Avenue.
78. Prior to issuance of Certificate of Occupancy, off-site improvements shall be in place to the satisfaction of the City Engineer.
79. Paint curbs red along Del Amo Blvd and along Wilmington Avenue to the satisfaction of the City Traffic Engineer.
80. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
81. Offsite sewer improvements shall be made in accordance with Los Angeles County Department of Public Works (LACDPW) requirements prior to the issuance of a final building permit.

82. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
83. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the development must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
84. In the event that the required right-of-way dedication (Condition No. 63) along Wilmington Avenue is developed by the City of Carson into a right-turn lane, the easternmost driveway facing south on Del Amo Boulevard must be permanently closed and replaced with planter area, sidewalk, curb and gutter, subject to approval by the Planning Division and Engineering Division. The planter area to the west of the closed driveway shall be ten feet wide and extended to the east to meet the landscape planter area at the southeast corner of the subject property.
85. The Developer shall submit a Grading Plan prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
86. A construction permit is required for any work to be done in the public right-of-way.
87. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
88. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.
89. The Developer shall construct and 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.
90. Prior to issuance of Building Permit, the following must be on file:
 - a. Drainage 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.
91. The Developer 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.

92. Idling of tow trucks, flatbed trucks, or any other vehicles for extended periods of time is prohibited.
93. Truck traveling onsite during construction and grading activities will maintain a speed of less than 15 miles per hour to control dust levels.
94. Transport of product, both removal and deposit, shall be planned so to minimize the number of trips. This shall be done by planning destination routes to and from the site and filling hauling trucks to the maximum capacity prior to shipment.
95. Suspend construction activities and loading of grading materials when wind speeds exceed 25 miles per hour.
96. The parking spaces for the disabled must be located such that they do not require users to pass behind vehicles other than their own, nor be required to cross vehicular traffic ways.
97. Prior to issuance of a Building Permit, a drainage and grading plan as approved by the City of Carson and the Los Angeles County Department of Public Works must be on file.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

98. 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.

ALCOHOL BEVERAGE SALES – CITY OF CARSON

99. No beer or malt beverage products shall be sold, regardless of containers size, in quantities of less than six per sale.
100. The sales of beer or malt beverages in quantities of quarts, 22oz., 32oz., 40oz., or similar size containers is prohibited. No beer or malt beverages shall be sold in quantities of less than six per sale.
101. Beer, malt beverages, and wine coolers in containers of 16oz or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
102. Wine shall not be sold in bottles or containers smaller than 750 ml. and wine coolers, beer coolers, or pre-mixed distilled spirit cocktails (if allowed by the license) must be sold in manufacturer pre-packaged multi-unit quantities.
103. Loitering is prohibited on or around these premises or this area under the control of the licensee(s).

104. The sale and delivery of alcoholic beverages shall be made to persons who are within the licensed premises only and not through a pass-out window, or a slide-out tray to the exterior of the premises.
105. The premises shall post and maintain a professional quality sign, subject to Planning Division review and approval and facing the premises parking lot(s) that reads as follows:
 - a. NO LOITERING, NO LITTERING
 - b. NO DRINKING OF ALCOHOLIC BEVERAGES
 - c. VIOLATORS ARE SUBJECT TO ARREST

This sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.