

**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

**DESIGN OVERLAY REVIEW NO. 985-07**

**CONDITIONAL USE PERMIT NO. 653-07**

**CONDITIONAL USE PERMIT NO. 654-07**

**GENERAL CONDITIONS**

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No.985-07, Conditional Use Permit No. 653-07 and Conditional Use Permit No. 654-07 is not submitted to the City of Carson 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 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 comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission 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.
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. 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.
8. The operator of a lawfully erected facility, and the owner of the premises upon which it is located, shall promptly notify the Planning Division in writing in the event that the use of the facility is discontinued for any reason. In the event the facility is discontinued or abandoned for a period of more than 180 days, then the owner(s) and/or operator(s) shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises as appropriate so as to be in conformance with applicable zoning codes at the owner's and/or operator's expense. All such removal, repair and restoration shall be completed within 90 days after the use is discontinued or abandoned, and shall be performed in accordance with all applicable health and safety requirements.
9. 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. 985-07, Conditional Use Permit No. 653-07 and Conditional Use Permit No. 654-06. 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.

## AESTHETICS

10. The specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division prior to the issuance of any building permits.
11. The wireless telecommunication facility shall not exceed 36 feet in height, up to and including the faux branches and leaves.
12. All electrical and equipment wiring shall be placed underground from the point of connection at the telecommunication tower and related equipment facilities to where the power/telco source is located.
13. The ground equipment enclosure shall be textured/stuccoed and painted to match existing building(s) on the property.
14. The main support structure (pole) for the telecommunication tower shall be coated with a synthetic rubber material resembling tree bark, subject to Planning

Director approval. All other supporting structure(s) shall be painted a non-glossy, neutral color, subject to Planning Director approval.

15. The existing cargo container shall be removed prior to the issuance of a building permit.

#### PARKING

16. Parking spaces adjacent to the cell facility location shall be restriped to be consistent with CMC Section 9162.51.

#### LANDSCAPING/IRRIGATION

16. 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.
17. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
18. 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.
19. A minimum of two, 36-inch box tree specimens and ten, five-gallon hedge specimens are required to be placed within the easterly concrete island in the parking lot.

#### NOISE

20. All wireless telecommunication facilities shall be constructed and operated in such a manner as to meet the requirements of the Noise Ordinance.
21. Backup generators shall only be operated during power outages and for testing and maintenance purposes.

#### ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

22. As necessary, the applicant shall remove and replace broken driveway approach per City of Carson Standard.
23. If needed, easements shall be granted to the City, appropriate agency, or entity for the purposes 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.
24. Any city-owned improvements damaged during the construction of the proposed project shall be removed and reconstructed per City Standard Plan and to the satisfaction of the City Engineer prior to the issuance of a building permit.

25. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

#### FIRE DEPARTMENT – LOS ANGELES COUNTY

26. Battery backup and storage areas shall be constructed and maintained in compliance with Article 64 of the Uniform Fire Code (UFC).

#### BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

27. Per Section 6310 of the Carson Municipal Code, all parties involved in the construction of the mono-eucalyptus telecommunication facility to be located at 23601 Main Street, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

#### OTHER

28. Future modifications to the approved development plans, including the installation of additional panels and equipment cabinetry, shall be subject to Planning Division review and approval. If deemed to be major modifications, the Planning Commission shall be the approval authority.