

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

DESIGN OVERLAY REVIEW NO. 989-07

CONDITIONAL USE PERMIT NO. 657-07

CONDITIONAL USE PERMIT NO. 658-07

GENERAL CONDITIONS

1. If Design Overlay Review No. 989-07, Conditional Use Permit No. 657-07, and Conditional Use Permit No. 658-07 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 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. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
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 \$50.00 (fifty 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 \$1,800 (one thousand eight-hundred dollars) pursuant to SB 1535. 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.
13. The current truck trailer storage use on the ORL (Organic Refuse Landfill) site shall be terminated if Conditional Use Permit No. 658-07 is denied by the City Council.
14. The applicant shall submit to the Planning Division a Facility Consent Agreement with the Department of Toxic Substances Control (DTSC) prior to approval by the City Council.
15. Remediation of the site shall be completed by the applicant and approved by the Department of Toxic Substances Control prior to the issuance of building permits.
16. The applicant shall comply with all applicable DTSC and Regional Water Quality Control Board (RWQCB) requirements.
17. 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. 989-07, Conditional Use Permit No. 657-07 and Conditional Use Permit No. 658-07. 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/TRAFFIC

18. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
19. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
20. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
21. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
22. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved and maintained 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.
23. In the event that the business adds manufacturing use or intensifies its operation in some other way, sufficient parking shall be provided to meet the City of Carson parking code requirements. The applicant may be required to provide additional onsite or offsite parking, and may be required to obtain a conditional use permit.
24. All areas designated as parking spaces as shown on the site plan on file at the City Planning Division shall be clear and unobstructed at all times. No outdoor storage shall occupy designated parking spaces.
25. Onsite traffic signing and striping shall be implemented in conjunction with detailed construction plans for the project.

26. The applicant shall participate in the phased construction of off-site traffic improvements through payment of traffic mitigation fees to the City of Carson at the discretion of the City Engineer or City Traffic Engineer.
27. A transportation information area shall be located inside or near the building in a conspicuous area for employees. The information area shall consist of a bulletin board, display case or kiosk featuring transportation information. The types of information that must be included are transit route maps, bicycle route maps, information numbers for local transit operators and the regional ridesharing agency, as well as a list of alternative transportation amenities at the site.
28. Up to ten (10) percent of all employee parking shall be set aside for carpools and vanpools, unless an alternative is approved by the City. Carpool and vanpool spaces shall be conveniently located as close to the building as feasible, to the satisfaction of the Planning Division.
29. Vanpool parking areas must be designed to admit vanpool vehicles.
30. A safe and convenient area for carpool and vanpool passengers to wait for, board, and disembark from their ridesharing arrangement shall be provided.
31. A pedestrian system that allows direct and convenient access to and from the development shall be provided.
32. If appropriate, improvements shall be made to bus stop areas of bus routes impacted by the proposed development. Consultation with local bus service providers shall be required.
33. Bicycle parking facilities shall include bicycle racks, bicycle lockers or locked storage rooms.
34. A safe and convenient access to onsite bicycle parking from the external street system shall be provided for bicycle riders.

LANDSCAPING/IRRIGATION

35. 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.
36. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
37. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning.
38. A 25-foot wide landscaping area shall be located along the front property line.
39. All required yards adjacent to, or visible from, a public right-of-way shall be landscaped utilizing any combination of the following:

- a. Drought resistant plants common to this region, including lawn grasses, flowers, ground covers, vines, shrubs in five (5) to fifteen (15) gallon sizes, and minimum twenty-four (24) inch box specimen trees, of sufficient bulk to provide screening;
- b. Decorative materials such as rock, bark, gravel, boulders, wood, brick, block, tile, stucco, ornamental iron; or
- c. Artistic features, such as berms, earth mounds, planter beds, fencing, monuments, artwork, sculptures, and fountains.

AESTHETICS

40. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
41. 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.).

FENCES/WALLS

42. Fencing materials shall consist of decorative masonry walls, such as splitface, stucco block or slumpstone, and shall be approved by the Development Services Group Planning Division.
43. Decorative wrought iron gates with opaque screening shall be installed at all access points visible from the public right-of-way.
44. Chainlink fencing and barbed or concertina wire shall be prohibited where visible from public right-of-way.

SIGNS

45. The sign program shall be revised to include a 10-foot high monument sign. The pylon sign shall be removed from the sign program.
46. Directional signs shall not exceed the height of 10 feet.
47. All permitted business signs must be in compliance with the provisions of Section 9146.7 of the Zoning Ordinance.

LIGHTING

48. Lighting for the project site shall be directed downward and inward in order to minimize glare to other properties and the public roadways.

TRUCK LOADING, MANEUVERING, AND STORAGE

49. All truck loading areas shall be properly marked according to Section 9162.66 of the Zoning Ordinance.
50. Trucks and permitted storage shall not be stored within five (5) feet of any required screening wall.
51. Truck parking and permitted storage shall be arranged in parallel rows and shall be striped.
52. Areas utilized for the parking of truck and permitted storage shall be surfaced with materials approved by the Development Services Group Planning Division which adequately prevent dust from becoming airborne and prevent the tracking of mud onto public rights-of-way.
53. Nothing contained herein shall be deemed to authorize or permit the storage of hazardous materials, substances or wastes which are capable of posing an unreasonable risk to health, safety or property, including, but not limited to, any radioactive material, poison, flammable gas, nonflammable gas, flammable liquid, oxidizer, flammable solid, corrosive material (liquid or solid), irritating materials, combustible liquids, explosives, blasting agents, etiologic agents, organic peroxides, hazardous wastes, and regulated materials of classes A, B, C, D and E, the definitions of which may from time to time be designated by the United States Department of Transportation under Title 49 (commencing with Section 1801) of the United States Code and Title 49 (commencing with Section 107) of the Code of Federal Regulations, and adopted by the Commissioner of the California Highway Patrol pursuant to Section 2402.7 of the California Vehicle Code.
54. The site plan shall be revised to provide truck parking spaces to serve the truck loading provided on the easterly portion of the building.

AIR QUALITY – CONSTRUCTION PHASE

55. Temporary traffic controls (i.e., flag person) shall be provided during all construction phases to maintain traffic flow.
56. Construction activities shall be scheduled for off-peak hours to the degree practicable.
57. Construction trucks shall be re-routed away from congested streets.
58. Truck deliveries shall be consolidated when possible.
59. Construction equipment and vehicle engines shall be maintained in good condition and in proper tune as per manufacturers' specifications and pre SCAQMD rules, to minimize exhaust emissions.
60. Methanol- or natural gas-powered mobile equipment and pile drivers shall be used instead of diesel to the extent available and at competitive prices.

61. Propane- or butane-powered onsite mobile equipment shall be used instead of gasoline to the extent available and at competitive prices.
62. Exposed piles (i.e., gravel, sand, and dirt) shall be enclosed, covered, or watered twice daily, or an approved soil binder shall be used.
63. Active grading sites shall be watered at least twice daily.
64. Excavation and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period.
65. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
66. Streets shall be swept at the end of the day if visible soil material is carried over to adjacent roads. Water sweepers using reclaimed water are recommended.
67. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto paved roads.
68. Trucks and any equipment leaving the site shall be washed if dirt, sand, soil, or other loose material is visible.
69. Water shall be applied three times daily, or chemical soil stabilizers shall be used according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces.
70. Traffic speed limits of 15 miles per hour or less shall be posted and enforced on all unpaved roads.

AIR QUALITY – OPERATIONAL

71. Filters shall be installed throughout the building in order to minimize emissions generated from manufacturing activities.
72. Regular inspections and monitoring of emissions generated from manufacturing activities shall be done. Proper procedures shall be implemented in order to minimize these emissions.
73. Truck deliveries shall be consolidated when possible.
74. Alternative fuel vehicle (AFV) parking spaces shall be made available to employees and customers of the office building to the satisfaction of the Planning Division. AFV parking spaces shall be located as close as possible to the office building.
75. Up to ten (10) percent of all employee parking shall be set aside for carpools and vanpools, unless an alternative is approved by the City. Carpooling and vanpooling shall be encouraged to the extent feasible.

GEOLOGY AND SOILS

76. The proposed project shall comply with the standards set forth in the UBC (most recent edition) for structures on-site to assure safety of the occupants to the satisfaction of the Department of Building and Safety prior to issuance of a building permit. These standards included compliance with California Division of Mines and Geology Special Publication 117 (Guidelines for Evaluating and Mitigating Seismic Hazards in California, adopted March 13, 1997) and "Recommended Procedures for Implementation of CDMG Special Publication 117- Guidelines for analyzing and Mitigating Liquefaction in California" (Dr. Geoffrey R. Martin et al, May 1999).
77. A qualified geotechnical engineer shall be present on-site during excavation, grading, and general site preparation activities to monitor the implementation of the recommendations as specified in the geotechnical report.
78. A site-specific geologic and soil investigation shall be conducted and a report prepared which satisfies the requirements of the City Engineer and the Building and Safety Department. The report shall be prepared and submitted prior to approval of final design plans. The report shall also include recommendations for minimizing geologic and soil related hazards and these recommendations shall be incorporated into the final project design.

NOISE

79. All operations shall comply with the City of Carson Noise Ordinance
80. All equipment of the premises used for such processes shall be constructed, operated, and maintained in such a manner so as to minimize noise or vibration that would be detrimental to the surrounding area.
81. Mufflers and other noise-reducing instruments shall be used as necessary to lessen outdoor noise.
82. Nighttime activities generating outdoor noise shall be limited or mitigated to the satisfaction of the Planning Division.

TRASH

83. The trash enclosure(s) shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

84. Provide water mains, fire hydrants, and fire flows as required by Los Angeles County Fire Department and Fire Warden for the proposed site.
85. 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

86. Ensure compliance with current seismic mitigation codes.

BUILDING AND SAFETY – LOS ANGELES COUNTY

87. Per Section 9141.12 – Uses Permitted on Organic Refuse Landfill Sites, approval by the Building and Safety Division of a report submitted by the applicant, which shall provide and include plans for a protective system or systems designated to eliminate or mitigate the potential hazards and environmental risks associated with the proposed use, shall be required prior to issuance of any building permit(s).
88. All habitable structures shall be placed on a permanent foundation, and a building permit shall be obtained.
89. All existing structures shall be demolished prior to construction of the project

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

90. 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, drainage concept and stormwater information have been received and found satisfactory.
91. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.
92. 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.
93. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
94. Repair any broken or raised sidewalk, curb and gutter along Carson Street within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
95. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
96. 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.
97. 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 approach width allowed for the site is 30 feet.
98. Where sidewalk 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.
 99. Remove unused driveway approach 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.
 100. Install streetlights on concrete poles with underground wiring along Carson Street to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
 101. The Developer shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be completed prior to the issuance of the Certificate of Occupancy. (annexation procedure is approximately 12-month)
 102. All existing overhead utility lines less than 50 kilovolts, along Carson Street abutting the proposed development shall be underground to the satisfaction of the City Engineer.
 103. All new overhead utility lines, along Carson Street abutting the proposed development shall be underground to the satisfaction of the City Engineer.
 104. Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
 105. Install irrigation system for the purpose of maintaining the parkway trees to be planted along the frontage of the development on Carson Street.
 106. Install raised landscaped median along the frontage of the development on Carson Street to the satisfaction of the City Engineer.
 107. The Developer has the option to make a cash payment to the City of Carson In-Lieu of constructing the following Improvements:
 - a. Landscaped Median along the frontage of the development on Carson Street.
 108. Prior to issuance of Certificate of Occupancy, off-site improvements shall be in place to the satisfaction of the City Engineer.
 109. Paint Curbs Red along Carson Street and within or abutting this proposed development, to the satisfaction of the City Traffic Engineer.
 110. 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.

111. Offsite sewer improvements are tentatively required.
112. 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.
113. 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.
114. Offsite water improvements are tentatively required.
115. The Developer shall submit improvement plans to the Development Services Group – Engineering Division 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. The plan shall show:
 - a. Street Improvements along Carson Street
116. A construction permit is required for any work to be done in the public right-of-way.
117. 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.
118. 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.
119. 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.
120. Prior to issuance of Building Permit, the following must be on file:
 - a. Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
 - 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.

121. 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.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

122. Any hazardous wastes/materials encountered during construction shall be remediated in accordance with local, state, and federal regulations.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

123. 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.