

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"

**MODIFICATION NO. 1 TO
DESIGN OVERLAY REVIEW NO. 758-01,
CONDITIONAL USE PERMIT NO. 541-04, AND
TENTATIVE TRACT MAP NO. 53709**

GENERAL CONDITIONS

1. If Modification No. 1 to Design Overlay Review No. 758-01, Conditional Use Permit No. 541-04, and Tentative Tract Map No. 53709 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 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 laws and regulations applicable to this land division.
4. If any condition herein 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 30 days.
5. Conditions set forth under Redevelopment Agency Resolution No. 05-12 approved on March 15, 2005, and Planning Commission Resolution No. 05-2020 approved on January 11, 2005, shall apply to this proposed project unless specifically modified, added, or deleted herein.
6. 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 and approval by the Planning Commission.
7. It is further made a condition of this approval that if any condition is violated or if any law, statute or 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.

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. The applicant shall file an Affidavit of Acceptance with the Planning Division within 30 days of receipt of the signed Planning Commission resolution. The applicant shall record said Affidavit and these conditions of approval in the Office of the Los Angeles County Recorder, and proof of such recordation shall be submitted to the Planning Division within 30 days of receipt of the Redevelopment Agency resolution.
10. 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. 758-01, Conditional Use Permit No. 541-04, and Tentative Tract Map No. 53709. 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.

LANDSCAPING/WALL

11. Trees located along Carson Street shall be planted behind the concrete block wall. Shrubs and vines approved by the Planning Division shall be planted between the wall and Carson Street. All landscaping described in this condition shall be provided with automatic irrigation and maintained by the homeowners association (HOA). The conditions, covenants, and restrictions (CC&Rs) shall clearly indicate the HOA's responsibility in maintaining the landscaping described herein. This condition of approval supercedes Condition No. 30 of Planning Commission Resolution No. 05-2020 and Redevelopment Agency Resolution No. 05-12.