

CITY OF CARSON
DEVELOPMENT SERVICES GROUP
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL

MODIFICATION NO. 3 TO SPECIAL USE PERMIT NO. 1-68

GENERAL CONDITIONS

1. If Modification No. 3 to Special Use Permit No. 1-68 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 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. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
8. 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.

9. 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.
10. All construction of the proposed project shall cease after five (5) years of the effective date of this Modification No. 3 to Special Use Permit No. 1-68 regardless of the amount completed, unless a subsequent modification to Special Use Permit No. 1-68 is approved by the Planning Commission.
11. 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 Special Use Permit 1-68 and all related modifications. 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

12. The storage tanks shall be painted a neutral color in order to minimize attention. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
13. The tanks shall be maintained in good condition at all times. Accumulation of rust or deterioration shall be eliminated in a timely manner.
14. Graffiti shall be removed from the subject property within three (3) days of written notification by the City of Carson, including graffiti found on perimeter walls and fences. 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.).

LANDSCAPING

15. 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.

16. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
17. 6" x 6" concrete curbs are required around all landscaped planter areas.
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. Existing landscaping throughout the property that is in poor condition shall be nurtured back into good condition or shall be replaced.
20. Additional landscaping shall be provided along Sepulveda Boulevard to screen the facility to the satisfaction of the Planning Division. This shall include, but is not limited to:
 - Vine-like landscaping along perimeter walls and fencing;
 - Mounded landscaping along Sepulveda Boulevard to a maximum height of thirty-six inches or a screening hedge along the full-length of the property; and
 - Annual flowers wherever possible.

UTILITIES

21. The applicant shall remove at his own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
22. Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions
23. 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.
24. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
25. 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).

FENCES/WALLS

26. Chain-link fencing, including barbed and concertina wire, shall be replaced with decorative wrought iron fencing along Sepulveda Boulevard.

LIGHTING

27. Lighting for the project site, including the new storage tanks, shall be directed downward and inward in order to minimize glare to other properties and the roadways.
28. Lighting shall be installed for safety purposes only and not to direct attention to the storage tanks.

TRASH

29. Trash enclosures 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. When adjacent to multi-story buildings, said enclosure shall incorporate an overhead door (standard electrical or manual), a pedestrian access door and decorative beams or other roofing material to provide visual screening from said multi-story buildings. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permits.
30. 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.

ENVIRONMENTAL

31. The applicant shall comply with all the mitigation measures, implementation, timing, and monitoring described in the Mitigated Negative Declaration (MND) for this project. The mitigation measures are required to minimize, avoid, rectify, reduce, eliminate, or compensate for potentially significant environmental effects.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

32. 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.
33. Abide by all other County of Los Angeles Fire Department requirements.
34. All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access must be provided and maintained serviceable throughout construction.

BUILDING AND SAFETY – COUNTY OF LOS ANGELES

35. The applicant shall demolish all existing structures prior to the issuance of a building permit.
36. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.

ENGINEERING DIVISION – CITY OF CARSON

37. Comply with mitigation measures included in the Mitigated Negative Declaration (MND) regarding soils and drainage.
38. All existing and new utility lines shall be undergrounded to the satisfaction of the city.
39. All infrastructures necessary to serve the proposed development (water, sewer, and storm drain improvements) shall be in operation prior to the issuance of the Certificate of Occupancy.
40. Prior to issuance of business license, the following must be on file:
 - Drainage/Grading plan as approved by the Los Angeles County Department of Public Works.
 - Encroachment permit and/or construction bond as required for all work to be done within the public right of way.
 - Proof of Worker’s Compensation and Liability Insurance.
41. Any improvement damaged during the construction shall be removed and reconstructed per City standard plans and to the satisfaction of the City Engineer.
42. Any missing or damaged improvements in the public right of way fronting the proposed project shall be installed or constructed by the applicant at its sole cost prior to issuance of Certificate of Occupancy.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

43. Per Section 6310 of the Carson Municipal Code, all parties involved in the construction project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.