

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

DESIGN OVERLAY REVIEW NO. 1011-07

CONDITIONAL USE PERMIT NO. 609-06

CONDITIONAL USE PERMIT NO. 676-07

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1011-07, Conditional Use Permit No. 609-06 and Conditional Use Permit No. 676-07 is not issued 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 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.

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. This permit shall expire in seven (7) years or by November 27, 2015, unless an extension of time is filed by the applicant prior to expiration, and subsequently reviewed and approved by the Planning Commission.
10. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1011-07 Conditional Use Permit No. 609-06 and Conditional Use Permit No. 676-07. 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

11. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
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. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

AESTHETICS

17. 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.
18. The wireless telecommunication facility shall not exceed the height specified in the development plan.
19. All new electrical and equipment wiring shall be placed underground or concealed within the building or structure in which the facility will be mounted.
20. The ground equipment and supporting structure(s) shall be painted a neutral, non-glossy color.
21. The applicant shall paint any portion of the tower or buildings in disrepair to the satisfaction of the Planning Department
22. 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.).
23. All trash shall be removed prior to the issuance of a building permit. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division. Three existing storage containers in the front parking area shall be removed.

LANDSCAPING/IRRIGATION

24. 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.
25. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."

26. 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.
27. To the extent feasible, the applicant shall provide landscaping around the perimeter of the property to screen the facility from the surrounding properties.

FENCES/WALLS

28. Perimeter fences shall be architecturally coordinated with the project buildings and subject to the approval of the Planning Division.
29. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9136.3 (commercial zones) of the Zoning Ordinance.
30. The applicant shall provide a new wrought iron fence along the western property line in order to provide screening, as necessary, and to replace any fencing found to be dilapidated or in poor condition.
31. The applicant shall remove all existing barb wire fencing.

NOISE

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

TRASH

34. The trash enclosure(s) 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 and in the location specified in the approved site plan. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit/business license.
35. All existing trash containers shall be within a trash enclosure.

PUBLIC SAFETY - CITY OF CARSON

36. Ensure compliance with current seismic mitigation codes.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

37. 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.

38. The estimated construction cost for this project is less than \$100,000 therefore the project is not subject to offsite improvements, with exceptions to the following items:
- a. A construction permit is required for any work to be done in the public right-of-way.
 - b. 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.
 - c. 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.
 - d. 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.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

39. All requirements by the L.A. County Fire Department shall be complied with.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

40. 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.