



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

NEW BUSINESS DISCUSSION: October 22, 2013  
SUBJECT: Workshop on Conditions of Approval  
APPLICANT: City of Carson  
REQUEST: Discuss general and specific conditions of approval that are applied to development projects  
PROPERTIES INVOLVED: Citywide

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### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

### COMMISSIONERS' VOTE

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
		Chairman Faletogo			Gordon
		Vice-Chair Verrett			Piñon
		Brimmer			Saenz
		Diaz			Schaefer
		Goolsby			

**I. Introduction**

At the October 8, 2013 Planning Commission meeting, the Commission directed staff to prepare an item for the next meeting to discuss conditions of approval that are applied to development projects. The purpose of this workshop is to present general conditions that are applied to each use and development application and identify ways to differentiate specific conditions that are applied on a case-by-case basis.

**II. Background**

Conditions may be imposed as deemed necessary to carry out the intent of the Carson Municipal Code and to protect the health, safety, and welfare of the general public. Conditions are required to have a nexus between the project being proposed and the requirement of the conditions. Certain conditions of approval are general in nature and have been applied to individual projects routinely by the City of Carson. Other conditions are specific to a certain type of use or development. Depending on the nature of the use, the condition may regulate hours of operation, parking, screening, security measures, etc. Staff and the Planning Commission evaluate projects on a case-by-case basis so certain conditions that may be applicable for one project may be unnecessary or ineffective for another.

Also, many of the standard conditions restate the requirements found in the Carson Municipal Code. So although a condition is omitted, the requirement would still be applicable. For example, parking stalls for commercial parking are required to be 8½ feet wide by 18 feet deep and the driveway aisle must be a minimum of 26 feet wide. Staff does not typically include conditions to restate this requirement, but may if dimensions shown on a plan are incorrect and minor revisions are necessary. Even if conditions were not included to call out the need for the revisions, the applicant is still required to meet these parking standards.

Staff has compiled a listing of standard conditions of approval and various other conditions of approval that have been applied to use and development projects. The purpose of the workshop will be to discuss the rationale for establishing conditions of approval and to provide a general discussion related to the types of conditions attached to various use and development projects.

**Recommendation**

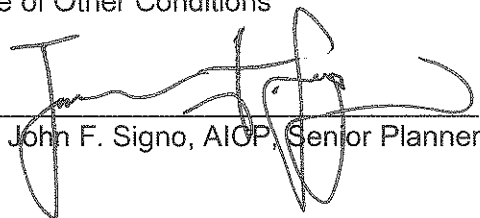
That the Planning Commission:

- CONSIDER and DISCUSS the information provided for in this workshop; and
- DIRECT staff as necessary.


**III. Exhibits**

1. List of Standard Conditions
2. Example of Specific Conditions
3. Example of Other Conditions

Prepared by:

  
John F. Signo, AICP, Senior Planner

Reviewed and Approved by:

  
Sheri Repp Loadsman, Planning Officer



**STANDARD CONDITIONS  
CARSON PLANNING DIVISION**

CONDITION		PERMIT	NOTES
GENERAL			
1	If a building permit is not issued within one year of the date of approval of Design Overlay Review No. _____, Conditional Use Permit No. _____, and Variance No. _____, said permit(s) shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.	All	Removed if no building permit needed. See no. 2 and 3.
2	If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. _____, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.	CUP	
3	Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.	CUP	
4	The final map shall be recorded with the County Recorder within two years of the Planning Commission's approval of the tentative map, unless an extension is granted.	TPM/TTM	
5	Each extension of Tentative Parcel/Tract Map No. _____, provided for in the Subdivision Ordinance, must be secured from the Planning Commission prior to expiration of this map.	TPM/TTM	
6	The final map shall be recorded with the County Recorder within two years of the Planning Commission's approval of the tentative map, unless an extension is granted.	TPM/TTM	
7	Each extension of this map, provided for in the Subdivision Ordinance, must be accompanied by an extension of Design Overlay Review No. _____, Conditional Use Permit No. _____, and Variance No. _____. All extensions must be secured from the Planning Commission prior to expiration of this map.	TPM/TTM in conjunction with other permit(s)	Tentative maps are good for 2 years. DORs, CUPs, and VARs are only good for 1 year. The applicant must request an extension for the DOR, CUP, and/or VAR within the first year, and if necessary, request an extension through a public hearing for the second year.
8	Design Overlay Review No. _____, Conditional Use Permit No. _____, and Variance No. _____, shall be declared null and void after one year of the date of approval unless an extension of time is requested prior to expiration and approved by the Planning Commission.	All	Not applicable if building permit is not required
9	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 and submitted to Planning Division.	All	
10	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 within 90 days of receiving approval by the Planning Commission.	All	
11	The property owner shall consent to an inspection of the interior and exterior of all buildings upon receipt of a written request by the City in order to determine compliance with these conditions and applicable Carson Municipal Code requirements.	CUP	Included for certain types of uses such as massage parlors

EXHIBIT NO. 01

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**STANDARD CONDITIONS  
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	Approval by the Planning Division and issuance of appropriate building permits, if applicable, are required for any future alterations, expansions or repairs.	CUP	Included for certain types of uses
12	The applicant shall comply with all city, county, state and federal regulations applicable to this project.	All	
13	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 by the Planning Commission.	All	Earlier versions referred to a specific exhibit (e.g., Exhibit "C-1")
14	The applicant and the 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.	All	
15	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.	All	
16	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.	All	
17	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.	All	
18	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 \$75.00 (seventy-five dollars) pursuant to AB 3185, Chapter 1706, Statutes of 1990, Code Section 21152 and 14 California of the Code of Regulations 15075, to enable the city to file the Certificate of Fee Exemption citing a De minimus Impact. 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.	Permits that require higher level of CEQA review	Needed to file notice of determination if EIR or ND/MND was prepared; fee subject to change by County Clerk; current fee is \$75
19	In addition, should the Department of Fish and Game reject the No Effect Determination request 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 \$_____ pursuant to AB 3158, Chapter 1706, Statutes of 1990. If this fee is imposed, the subject project shall not be operative, vested or final unless and until the fee is paid.	Permits that require higher level of CEQA review	Needed to file notice of determination if EIR or ND/MND was prepared; fee subject to change by County Clerk; current fee for EIR is \$2,995.25 and \$2,156.25 for ND/MND

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**STANDARD CONDITIONS  
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21	<p>Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.</p>	All	Added by city attorney in 2013
22	<p>City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.</p>	All	Added by city attorney in 2013
23	<p>Covenant, Conditions, and Restrictions (CC&amp;Rs). Covenants, Conditions, and Restrictions (CC&amp;Rs) shall be established for the project. The applicant or successor in interest shall pay for the cost of review and approval of the CC&amp;Rs by the City Attorney. The CC&amp;Rs shall provide for proper maintenance of the property and include other necessary conditions to carry out the terms herein, and shall be enforceable by City, and recorded prior to development of any parcels. An initial deposit of \$5,000 is required to cover processing costs. The applicant shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.</p>	All	Added by city attorney in 2013
24	<p>Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.</p>	All	Added by city attorney in 2013
25	<p>Indemnification. 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, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. ....  <b>The applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and City shall have no liability to the applicant.</b></p>	All	Standard indemnification; for large projects see no. 26; <b>bold text added or modified by city attorney in 2013</b>

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26	<p>Indemnification. The applicant shall indemnify the City and its elected boards, commissions, officers, agents and employees and will hold and save them and each of them harmless from any and all actions, suits, claims, liabilities, losses, damages, penalties, obligations and expenses (including but not limited to attorneys' fees and costs) against the City and/or Agent for any such Claims or Litigation and shall be responsible for any judgment arising therefrom. The City shall provide the applicant with notice of the pendency of such action and shall request that the applicant defend such action. The applicant may utilize the City Attorney's office or use legal counsel of its choosing, but shall reimburse the City for any necessary legal cost incurred by City. The applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. I</p>	All	Large projects only; added by city attorney in 2013
<b>AESTHETICS</b>			
1	Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, subject to Planning Division approval.	DOR	May be used for other types of permits such as a CUP or variance if a physical development is proposed
2	Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.	DOR	
3	The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.	DOR	
4	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.).	All	Sometimes found under a separate category under Graffiti or Graffiti Landscaping
<b>EASEMENTS</b>			
1	A Covenant and Agreement form for an existing easement shall be recorded with the Los Angeles County Recorder's office prior to the issuance of a building permit. Said document shall indicate all easements.	All	Usually required for subdivisions or found under Engineering conditions
<b>FENCES/WALLS</b>			
1	Perimeter walls shall be architecturally coordinated with the project buildings and subject to the approval of the Planning Division.	All	
2	Where walls are used, they shall be of decorative material to include stucco block, slumpstone or splitface.	All	
3	Chain-link fencing, including barbed and concertina wire, shall be removed. Decorative wrought iron fencing or a wall shall be used as a replacement if necessary.	All	



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4	Any wall or fence located in the required front yard setback area shall have a height not to exceed 42 inches, pursuant to Section 9126.23 of the CMC. A fence and gate may be erected outside of the required front yard setback area provided approval is granted by the Planning Division and Fire Department.	All	Residential only
<b>LANDSCAPING/IRRIGATION</b>			
1	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.	All	Landscaping conditions are usually omitted for smaller projects or projects that do not include landscaping (e.g., CUP for Chuck E. Cheese's inside the mall)
2	The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."	All	
3	The applicant shall install 6" x 6" concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.	All	
4	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.	All	Landscaping conditions are usually omitted for smaller projects or projects that do not include landscaping (e.g., CUP for Chuck E. Cheese's inside the mall)
5	Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to: a. Annual flowers wherever possible; five and one gallon shrubs; and flats of ground cover planted 8-inches on center; b. One specimen tree for each unit shall be provided; and c. Tree height and plant materials to be approved by the project planner prior to installation. Furthermore, these plans are subject to Planning Division review and approval before installation of landscape/irrigation, which is to be completed prior to the issuance of final occupancy.	All	
6	The applicant shall incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Division, to graffiti.	All	Sometimes found under Aesthetics or Graffiti Landscaping
7	The Conditions, Covenants, and Restrictions (CC&Rs) of the Homeowners Association shall indicate that installation, maintenance, and repair of all landscaping in public areas shared by homeowners shall be managed by the Homeowners Association.	All	Subdivisions only
<b>LIGHTING</b>			
1	All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) of the Zoning Ordinance.	All	Residential zones, Section 9127.1; Industrial zones, Section 9147.1
2	Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.	All	

**STANDARD CONDITIONS  
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**PARKING**

1	All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.	All	Many of the parking conditions restate standards found in the CMC. These conditions are included to remind the applicant and/or his/her contractor of City standards. If omitted, these standards would still apply.
2	Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.	All	
3	Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.	All	
4	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.	All	
5	Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.	All	
6	Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.	All	
7	Each garage shall be provided with electrical wiring and features appropriate to support alternative fuel vehicles subject to the approval of the Planning Division.	All	Residential condominiums only

**SIGNS**

1	Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.	All	Signage not allowed for residential uses
2	All permitted business signs must be in compliance with the provisions of Section 9136.7 [Section 9146.7 for Industrial uses] of the Zoning Ordinance.	All	Signage not allowed for residential uses

**TRASH**

1	Trash collection shall comply with the requirements of the City's trash collection company.	All	
2	An area measuring 7½ feet wide by 3 feet deep shall be provided for regular waste, recycling, and green waste receptacles. This area shall not occupy area designated as required parking or open space and shall be screened from the public right-of-way. The city's Waste Management Specialist may modify the dimensions described herein as necessary in order to provide for adequate space for trash receptacles.	All	Residential condominiums only
3	If trash enclosures are required by the City's trash collection company, the 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. The enclosures 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 permit(s).	All	Residential condominiums only

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4	The trash enclosure and recycling area 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. A painted metal, self-closing door shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).	All	Commercial and industrial properties
5	Trash enclosures shall measure a minimum of 14 feet wide by six (6) feet deep as required by the City's trash collection company.	All	
6	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.	All	
<b>UTILITIES</b>			
1	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.	All	Residential projects only; Section 9136.8 for commercial projects; Section 9146.8 for industrial projects
2	The undergrounding of new utilities shall be provided for in accordance with the requirements of the Subdivision Ordinance, Section 9206.15.	All	Subdivisions only
3	Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions, and electrical utilities shall be installed underground.	All	
4	Any aboveground utility cabinet or equipment shall be screened from the public right-of-way by a decorative block wall or landscaping, to the satisfaction of the Planning Division.	All	These conditions are usually omitted if duplicate of an Engineering condition
5	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.	All	
6	All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.	All	Sometimes found under Aesthetics



**EXAMPLES OF SPECIFIC CONDITIONS  
CARSON PLANNING DIVISION**

USE	CONDITION	PERMIT
SECOND DWELLING UNITS	<p>1. A property inspection report was prepared by a qualified property inspector that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The deficiencies described in the property inspection report shall be eliminated or mitigated within 90 days. The Planning Division shall inspect the property for compliance with the corrective measures. An extension of time to complete necessary corrective measures may be granted for up to an additional 90 days, subject to the discretion of the Planning Division.</p>	CUP
	<p>2. Per Section 9125.6.8 (L)(1) of the Carson Municipal Code, the applicant shall submit a deed restriction stating that:</p>	
	<p>a. The second dwelling unit shall not be sold separately.</p>	
	<p>b. The second dwelling unit is restricted to the maximum size allowed per the development standards.</p>	
	<p>c. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner.</p>	
	<p>3. The property owner shall consent to an inspection of the interior and exterior of all buildings upon receipt of a written request by the city in order to determine compliance with these conditions and applicable Carson Municipal Code requirements.</p>	
	<p>4. The property owner shall be required to record a deed restriction for a parcel merger with the County Recorder's Office within 90 days of receiving approval by the Planning Commission. The deed restriction shall state that if the property owner agrees to sell the dwellings prior to the completion of a city initiated parcel merger the property owner will be responsible for the completion of the parcel merger of their property prior to the close of escrow. In lieu of this condition, the property owner may merge the parcels at his/her own cost and effort. Proof of recordation of a lot merger shall be provided to the city within 90 days of Planning Commission approval.</p>	
	<p>5. The fence in the required front yard shall not exceed a height of three and one-half feet (3½'). The existing over-height fence located in the front yard shall be removed or made conforming within 90 days of Planning Commission approval.</p>	



**EXAMPLES OF SPECIFIC CONDITIONS  
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	<p>6. Any expansions to the primary and/or second dwelling unit will constitute as an intensification of use and the nonconforming parking privilege will no longer be continued. Two two-car covered parking spaces will be required prior to the approval of any expansions to the primary or second dwelling unit including but not limited to the addition of bedrooms, other habitable areas, and additional square footage.</p>	
	<p>7. The garage interior shall remain clear to facilitate garage parking.</p>	
<p><b>AUTO REPAIR</b></p>	<p>1. The property owner and/or tenant shall comply with the city's standard requirements for a business license prior to the transferring of an existing or establishment of a new auto repair business. The Planning Division shall review any business license application to ensure the new use does not result in a substantial change from the current auto repair use. Substantial changes shall require authorization of a modification of conditions from the Planning Commission prior to the approval/issuance of the business license.</p>	<p>CUP</p>
	<p>2. All operations such as work or repair on vehicles must be conducted on-site, not visible to the public. The applicant is permitted to conduct work under a permitted canopy, not visible to the public for twelve (12) months or when an enclosed building for auto repair is constructed, whichever date is first.</p>	
	<p>3. All damaged or wrecked vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding property or from any adjoining public street or walkway.</p>	
	<p>4. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.</p>	
	<p>5. No auto repair activities are permitted in areas visible to the public.</p>	
	<p>6. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed seventy-two (72) hours.</p>	
	<p>7. Prevent storm water pollutants of concern such as oil and grease, solvents, car battery acid, coolant and gasoline from entering into the storm water conveyance system.</p>	
	<p>8. Avoid hosing down work areas. If work areas are washed, collect and store wash water and dispose appropriately, according to state law. Use dry sweeping if possible.</p>	
	<p>9. Designate a special area to drain and replace motor oil, coolant, and other fluids, where there are no connections to the storm drain or the sanitary sewer, and drips and spills can be easily cleaned up.</p>	

**EXAMPLES OF SPECIFIC CONDITIONS  
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	<p>10. Post signs at sinks to remind employees not to pour wastes down drains.</p> <p>11. The owner/applicant shall provide for public use storage tanks to hold used automotive oil for recycling purposes in accordance to industry "Best Management" practices. The Planning Division shall approve the location for company "used oil recycling" services.</p> <p>12. In accordance with Ordinance No. 04-1322, the applicant has provided a property inspection report for the site which identify potential plumbing, electrical and fire code deficiencies. The report also includes plans to eliminate or mitigate any deficiencies identified. The mitigation measures in such report shall be hereby incorporated in these conditions of approval within 120 days permitted to allow for the mitigation measures, if any, to be completed subject to the Planning Division's review and approval.</p>	
<p><b>ARCADE / INTERNET CAFÉ</b></p>	<p>1. Hours of operation shall be limited to between 10:00 a.m. to 10 p.m. The Planning Commission may consider extended hours of operation based upon guidance from the Sheriff's Department.</p> <p>2. No minor under the age of 18 shall be admitted to the premises without a parent, guardian or supervising adult.</p> <p>3. There shall be at least one (1) adult employee, eighteen (18) years of age or older, for each twenty (20) amusement machines available to the public. At least one (1) adult attendant or supervisor shall be present within the arcade area at all times during business hours.</p> <p>4. The applicant shall provide one (1) bicycle rack space for every three (3) amusement machines on the premises, located in proximity to the main entrance to the arcade area and throughout the mall premises as determined by the Planning Division. The mall management shall be responsible for ensuring that bicycles are parked only in the bicycle racks and are not left in such a manner that they present a hazard to passers-by or persons entering or leaving the arcade.</p> <p>5. All interior walls abutting neighboring businesses shall be sound proofed to a rating of 50 STC (Sound Transmission Class).</p> <p>6. The operator shall demonstrate an ability to prevent problems related to potential noise, litter, loitering, crowd control and parking, including, but not limited to, the provision of a uniformed security guard at the site to the satisfaction of the Sheriff's Department if the Sheriff's Department determines it to be necessary due to increased police activity or calls for service at the site.</p>	<p>CUP</p>

**EXAMPLES OF SPECIFIC CONDITIONS  
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	<p>7. Maximum number of amusement machines available to the public shall not exceed one (1) per thirty-five (35) square feet of net floor area.</p>	
	<p>8. Computer or video games of an adult nature depicting "specified anatomical areas" or "specified sexual activities", as these terms are defined in Sections 9191.620-621 and 9191.621 of the Carson Municipal Code (CMC), shall not be installed on computer terminals or played by customers.</p>	
	<p>9. Provide interior lighting levels similar to commercial office standards during operating hours.</p>	
	<p>10. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.</p>	
	<p>11. An interior waiting area for customers, not less than fifty (50) square feet, shall be provided near the entrance to the satisfaction of the Planning Division.</p>	
	<p>12. The applicant shall provide digital security cameras at the area of the exterior doors with remote internet access by the LA County Sheriff's Office. shall be installed to monitor the premises. Cameras shall be maintained in working order and surveillance footage shall be maintained for a minimum of 30 days on digital media and shared with law enforcement upon request.</p>	
	<p>13. Prior to certificate of occupancy, the applicant shall pay fair share funding for a new retail enforcement car as determined by the Sheriff's Department and the City. Payment may occur at a later time as deemed necessary for the fair share funding formula to be approved by the City Council. Upon final approval by the City Council, payments shall be made in a timely manner and in full compliance with applicable requirements to be established in the fair share agreement.</p>	
<p><b>SHARED PARKING FOR CHURCH</b></p>	<p>1. Prior to occupancy of new tenants within the _____ shopping center, the shopping center owner shall obtain approval from the Planning Division for the use and compliance with the shared parking requirements. The applicant shall submit an updated table showing hours of operation to the Planning Division in the event a use is proposed which exceeds a parking ratio of one space per 300 square feet or the hours of operations for any of the tenants in the shopping center changes. The Planning Division shall review tenant changes and hours of operation to ensure the hours of operations between tenants and _____ Church do not substantially overlap as to create additional parking impact not anticipated by this approval.</p>	<p align="center">CUP</p>



**EXAMPLES OF SPECIFIC CONDITIONS  
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	<p>2. The subject church shall limit assembly use of 25 or more participants to Sundays only. Otherwise, special events involving assembly use of 25 or more participants (i.e. funerals, weddings, etc.) shall be authorized by the Planning Division at least five (5) days prior to the event and shall be subject to a determination that sufficient parking is available.</p>	
	<p>3. Within 30 days from the Planning Commission approval or prior to initiating the occupancy of the church, whichever occurs first, the applicant shall submit a legal instrument approved by the Director as to form and content that shows evidence that there is no substantial conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking facilities are proposed prior to issuance of the Certificate of Occupancy.</p>	
	<p>4. A copy of the executed shared parking agreement shall be provided to the Planning Division prior to issuance of an occupancy permit. The shared parking agreement shall run in perpetuity so long as the church continues to operate. _____ spaces located on the property shall be made available to the church on weekdays after 8 p.m., and on Sundays. Additional times may be made available during special events as agreed upon by the two parties and may be used for special events subject to Planning Division approval.</p>	
	<p>5. Church patrons shall be notified of the requirement to park at the shopping center if onsite parking is unavailable. Church patrons shall be discouraged from parking on nearby streets. If patrons cause a parking impact within the adjoining residential neighborhood, the Planning Division shall determine effective corrective actions, including but not limited to, requiring the church to designate a parking monitor. Failure to adequately control use of designated parking may result in the revocation of this permit or placement of limitations on the use and occupancy of the subject church and school building. The Planning Division shall refer this permit to the Planning Commission for review if there is a need to consider revocation or modification to these conditions of approval.</p>	
	<p>6. The hours of operation of any assembly use of 25 or more participants within the building shall be limited to weekdays after 8:00 p.m. and Sundays.</p>	

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	<p>7. The hours of operation of the _____ shopping center tenants shall comply with the following table [INCLUDE TENANT TABLE]. Modifications to the parking table below, including changes in use and/or hours of operation shall require review and approval by the Planning Division. Substantial modifications, as determined by the Planning Division shall require review and approval by the Planning Commission.</p>	
<p><b>RESIDENTIAL CONDOMINIUM SUBDIVISION</b></p>	<p>1. A copy of the CC&amp;Rs (Covenants, Conditions and Restrictions) shall be submitted to the Development Services Group for transmittal to the City Attorney for review and approval as to form and content. The CC&amp;Rs shall contain statements that the project will be in compliance with city, county and state regulations and that the project will be architecturally compatible with the surrounding neighborhood. All Conditions of Approval shall be included within the CC&amp;Rs. No changes to the approved CC&amp;Rs shall be made without the City's consent. The CC&amp;Rs shall be recorded concurrently with the map (condominiums).</p>	<p>DOR/CUP TPM/TTM</p>
	<p>2. The applicant shall provide a final City Attorney approved copy of the CC&amp;Rs to the Development Services Group prior to any occupancy of any unit.</p>	
	<p>3. Conditions not required to be fulfilled prior to, or shown on the final map, shall be stated on a separate document to be recorded with the final map.</p>	
	<p>4. On the date a subsequent Tentative Map or Tentative Parcel Map is approved for this site, any previously approved by unrecorded maps shall become null and void.</p>	
	<p>5. The pad elevation on the grading plan shall not differ by more than six inches with the approved Tentative Parcel Map without approval by the Development Services Group.</p>	
	<p>6. Decorative colored concrete pattern shall occur at all driveway entry areas and at all pedestrian walkways at the intersections of the main road and alley ways.</p>	
	<p>7. The Conditions, Covenants, and Restrictions (CC&amp;Rs) of the Homeowners Association shall indicate that installation, maintenance, and repair of all landscaping in public areas shared by homeowners shall be managed by the Homeowners Association.</p>	
	<p>8. High quality postal delivery receptacles shall be provided subject to the approval of the Planning Manager.</p>	
	<p>9. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Director.</p>	

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10.	The condominium project shall conform to all the development standards as outlined in Section 9128.15 of the Zoning Ordinance, unless otherwise provided for in this approval.
11.	The multi-family project shall conform to all the development standards as outlined in Section 9128.54 of the Zoning Ordinance, unless otherwise provided for in this approval.
12.	The Declaration of Covenants, Conditions and Restrictions shall be provided for as outlined in Section 9128.17 of the Zoning Ordinance and submitted to the Planning Division for review and approval.
13.	All air conditioners shall be located interior to the building.
14.	All Conditions of Approval shall be contained within the CC&Rs.
15.	All alleys shall be of concrete material.
	<b>QUALITY ASSURANCE (CONDOMINIUMS ONLY)</b>
16.	Notwithstanding any other requirements, including those of other agencies, the developer shall comply with the following quality assurance conditions:
a.	The developer shall provide for increased capitalization of the project's homeowners association by establishing with the association a cash reserve as follows:
	i. \$250 per unit, but not less than
	ii. \$3,000 for 10 or fewer units
	iii. \$5,000 for 11 or greater units.
b.	For projects of less than 20 units, the developer shall provide the homeowners association with independent professional management services for a period of one year from the date 51 percent of the project's units have closed escrow. In the event the developer maintains a professional management services staff for purposes of establishing homeowner's associations, the developer may request approval of the Planning Division to substitute their owner service for the required independent professional management services. Such substitution must be made in writing with such supporting documentation as the General Manager may deem appropriate in order to ensure that the developer's services are equivalent to independent services. The developer's request must be made in sufficient time to allow the projects' CC&Rs to reflect the approach to management services which will be provided.

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	<p>c. For projects of 20 units or greater, the developer shall establish the project's homeowners association utilizing independent professional management services.</p>
	<p>d. Compliance with conditions a, b, and c above shall be reflected in the project's CC&amp;Rs as approved by the City Attorney's office.</p>
	<p>e. Prior to the issuance of any occupancy permits, the developer shall deposit into a three-party escrow account a cash deposit for purposes of project quality assurance. The amount of the deposit shall be as follows:</p>
	<p>i. \$2,000 per unit for the first 10 units</p>
	<p>ii. \$1,000 per unit for units above 10</p>
	<p>iii. The escrow account deposit shall be retained for a period of two years from the date of closing of the last purchase escrow or until such time as all warranty work and/or corrective work has been satisfactorily completed. The parties to the escrow account shall consist of the developer, the project's homeowners association, and the City of Carson. Disbursements from the escrow account may be made upon mutual agreement of two of the three parties. Closure of the escrow may only take place as noted above with mutual agreement of two of the three parties at which time any remaining funds shall be returned to the developer.</p>
	<p>f. The developer shall offer a minimum two-year unconditional normal use new home warranty to all first time buyers, including the project's association in the case of common facilities. The new home warranty shall have the effect of extending the manufacturers' warranties to two years.</p>
	<p>g. The developer shall be responsible for facilitating all warranty repairs during the new home warranty period.</p>
	<p>h. All exterior fixtures and equipment used in the project shall be quality grade intended for heavy-duty "commercial-type" applications.</p>
	<p>i. All landscaped areas of the project shall be subject to the posting of a separate landscape viability assurance bond in conjunction with final approval of landscaping and irrigation plans by the Planning Division.</p>
	<p>j. The City's Building and Safety Division may impose such additional requirements over and above standard code requirements as may be deemed necessary in order to ensure the integrity of the following systems: waterproofing; grading and compaction; site drainage; paving; and common area equipment.</p>



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	<p>k. The property shall be maintained in good order at all times. If said property is not maintained, the City of Carson shall have the ability to make an assessment of the property and direct all subsequent costs of clean up or improvements to the developer.</p>	
	<p>17. The applicant shall pay \$_____ in park and recreation fees prior to obtaining a building permit.</p>	
<p><b>MIXED USE BUILDINGS</b></p>	<p>1. Noise resulting from conduct of work within the commercial spaces shall be muffled so as not to become disruptive to residential units above or the surrounding neighborhood due to volume, tone, intermittence, frequency or shrillness.</p>	<p>DOR/CUP</p>
	<p>2. Every use shall be operated in such a manner that it does not emit an obnoxious odor or fumes beyond the commercial space.</p>	
	<p>3. Every use shall be operated in such a manner that it does not emit smoke into the atmosphere.</p>	
	<p>4. Every use shall be operated in such a manner that it does not emit any dust or dirt into the atmosphere.</p>	
	<p>5. Permanent exterior security grills shall not be permitted. Roll down security grills that conceal storefront windows are strongly discouraged. Interior security grills must recess completely into pockets that conceal the grill when it is retracted. Roll-down security grills and housings must be completely concealed from the street by awnings or canopies. Security grills should not be visible during hours of operation.</p>	

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	CONDITION	PERMIT	NOTES
	<b>MODIFICATION TO APPROVED PERMIT</b>		
1	The following conditions are in addition to those approved by the Planning Commission on _____, for Design Overlay Review No. _____, as included in Resolution No. _____, and do not void or nullify those conditions, but are	Modification	Used to add conditions without eliminating existing conditions
2	Conditions set forth under Planning Commission Resolution No. _____ approved on _____, shall apply to this proposed project unless specifically modified, added, or deleted herein. In the event that a previously approved condition(s) conflicts with a condition(s) contained herein, the condition(s) contained herein shall control.	Modification	Used to modify existing conditions
3	The conditions contained herein shall supersede the conditions described in Resolution No. _____ adopted by the Planning Commission on _____.	Modification	Used to supersede existing conditions
	<b>SHERIFF'S DEPARTMENT</b>		
4	Digital security cameras with remote internet access by the LA County Sheriff's Office shall be installed to monitor the premises. Cameras shall be maintained in working order and surveillance footage shall be maintained for a minimum of 30 days on digital media and shared with law enforcement upon request.	DOR/CUP	Used for sensitive uses such as arcades and businesses that sell alcohol
5	Prior to certificate of occupancy, the applicant shall pay fair share funding for a new retail enforcement car as determined by the Sheriff's Department and the City. Payment may occur at a later time as deemed necessary for the fair share funding formula to be approved by the City Council. Upon final approval by the City Council, payments shall be made in a timely manner and in full compliance with applicable requirements to be established in the fair share agreement.	DOR/CUP	Recently added to projects at the SouthBay Pavilion per the Sheriff's Department
	<b>FAIR SHARE FUNDING</b>		
6	Edison powerpole lines shall be relocated underground. The applicant shall participate in the fair share funding of future undergrounding of power poles located adjacent to 223 <sup>rd</sup> Street as may be deemed appropriate at the time of the undergrounding of utilities authorized by the City.	DOR	Required of Nissan and Honda dealerships; similar version used for Boulevards for fair share funding toward transit service
7	The payment of a traffic impact fee shall be required subject to the adoption of a traffic impact ordinance or other regulatory provisions applicable to the subject property and use. Payment of said traffic impact fee shall constitute project's share and responsibility for cumulative traffic impacts	DOR	Used for industrial properties along 220th Street for 223rd/Wilmington improvements
	<b>TRAFFIC/CIRCULATION/PARKING</b>		
8	The project applicant shall encourage employees to carpool to the extent feasible. This includes educating employees on the benefits of carpooling and establishing incentives such as reserving parking spaces in close proximity to the building for carpool vehicles.	DOR	These conditions restate the requirements in Section 9165.1-9165.3 (Transportation Demand and Trip Reduction Measures) and are required of larger developments

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9	<p>A transportation information area shall be located inside or near the building in a conspicuous area for employees and guests. 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.</p>	DOR	<p>These conditions restate the requirements in Section 9165.1-9165.3 (Transportation Demand and Trip Reduction Measures) and are required of larger developments</p>
10	<p>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.</p>		
11	<p>Vanpool parking areas must be designed to admit vanpool vehicles.</p>		
12	<p>A safe and convenient area for carpool and vanpool passengers to wait for, board, and disembark from their ridesharing arrangement shall be provided.</p>		
13	<p>A pedestrian system that allows direct and convenient access to and from the development shall be provided.</p>		
14	<p>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.</p>		
15	<p>Bicycle parking facilities shall include bicycle racks, bicycle lockers or locked storage rooms.</p>		
16	<p>A safe and convenient access to onsite bicycle parking from the external street system shall be provided for bicycle riders.</p>		

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