

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Section 12.04 of the Los Angeles municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section \_\_\_\_\_. Section 12.04 of the Los Angeles municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

Section \_\_. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of \_\_\_\_\_.

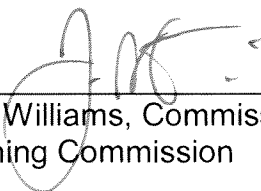
\_\_\_\_\_  
Holly L. Wolcott, City Clerk

By \_\_\_\_\_  
Deputy

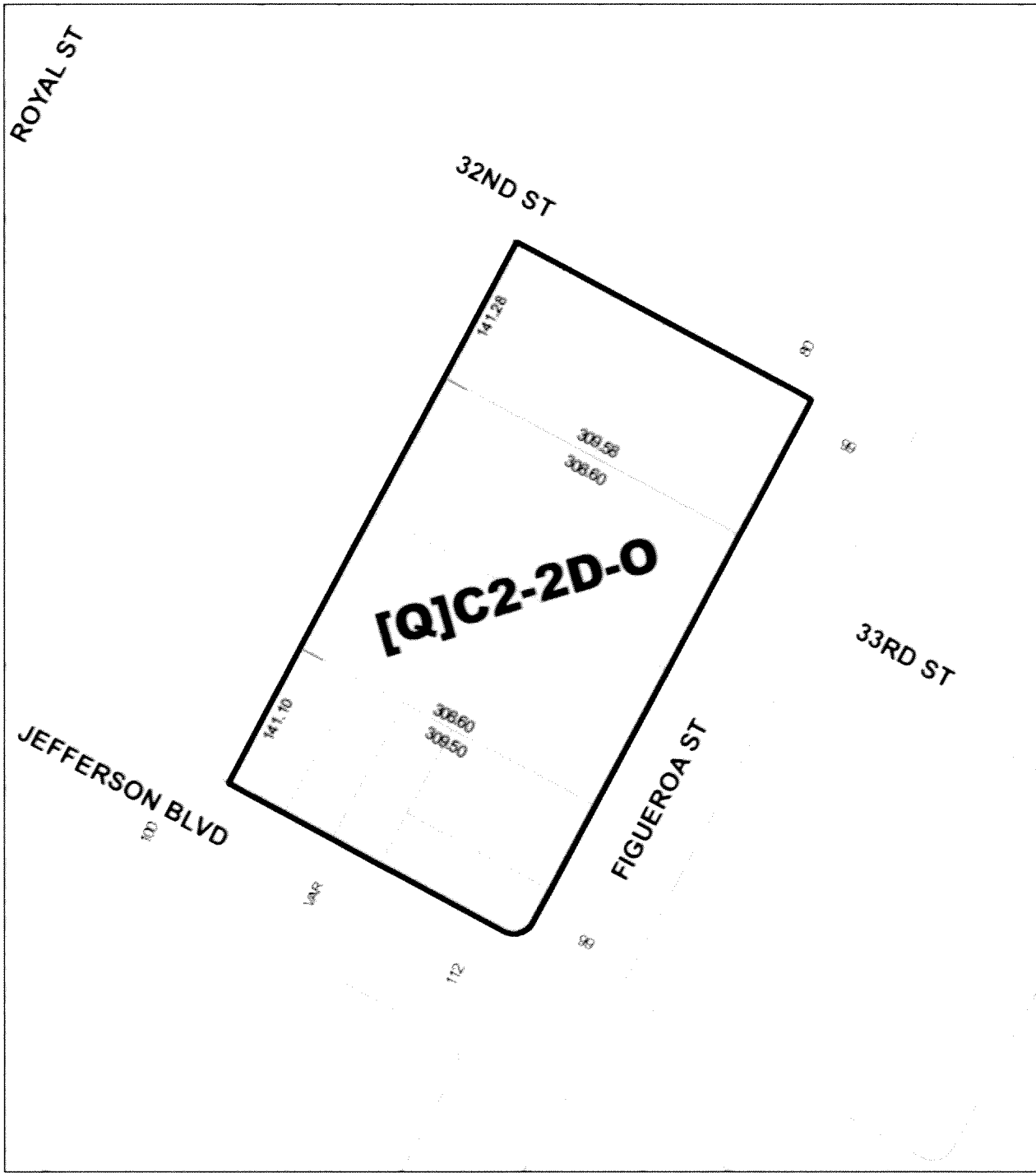
Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Pursuant to Section 558 of the City Charter,  
the City Planning Commission on February 12, 2015  
recommended this ordinance be adopted by the City Council.

  
\_\_\_\_\_  
James K. Williams, Commission Executive Assistant II  
City Planning Commission

File No. \_\_\_\_\_

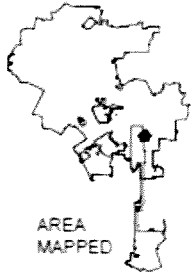


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## REVISED [Q] QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification. The amendments to the "Q" Qualified Conditions are indicated by underscored text, and deleted "Q" conditions are indicated by strikethrough text.

### A. Entitlement Conditions

1. **Use.** The use of the subject property shall comply with the provisions of the C2 zone, pursuant to the Municipal Code Section 12.14.
2. **Residential Density.** A maximum of 421 residential dwelling units shall be permitted, of which no more than 407 shall be two-bedroom units.
3. **Site Plan.** The subject property shall be developed in substantial conformance with the site plan and elevations, stamped and dated November 9, 2006, labeled Exhibit "B" and attached to the subject case file. Prior to the issuance of any building permits, a revised, detailed landscape plan that incorporates enhanced landscaping and urban design features along the Figueroa Street and 32nd Street frontages including, trellises, vertical planting elements and opportunities for seating and shade (see Condition A.6) shall be submitted for review and approval by the Planning Department. Minor deviations may be allowed in order to comply with applicable provisions of the Municipal Code, the subject conditions herein and the intent of the subject permit authorization.
4. **Parking.**
  - a. ~~The Applicant shall provide parking in compliance with Section 12.21 A 4 of the Municipal Code. a minimum of 770 parking spaces shall be provided on the subject site with a minimum of 349 on-site parking spaces being designated for the ground floor commercial uses and residential visitors and the remainder 421 spaces reserved for residential use. The number of spaces provided, their location and access shall be in substantial conformance with the site plan, marked Exhibit "B", attached to the subject case file.~~
  - b. ~~A portion of the required residential parking spaces, not to exceed 440 spaces, may be provided at the existing University Parking Structure (UPC) located at 3401 South Grand Avenue, a distance of 1,100 feet away from the subject property. A covenant and agreement reserving the off-site spaces in the UPC for the subject project shall be recorded on the site of the UPC at the County of Los Angeles Recorder's Office and a copy shall be provided to the Department of City Planning prior to the issuance of any permits.~~
  - c. ~~The 440 residential parking spaces that will be located off-site shall be reserved, dedicated and accessible only to project residents in an area set aside for such resident use within the existing USC parking structure with an additional internal gate access accessible only by keycard or other similar device. The spaces shall be reserved for this use for the life of the subject project.~~
5. **Bicycle Parking.** A minimum of 800 bicycle parking spaces shall be provided on the project site for use by residents, employees of and visitors to the project. A portion of the bicycle parking spaces shall be provided near the retail entrance at Jefferson Boulevard and Figueroa Street.

6. **Open Space.** A minimum of 52,275 square feet of total open space shall be provided on site, as shown in the site, landscape and planting plans labeled Exhibit "B," stamped and dated November 9, 2006, attached to the subject file. Publicly accessible open space (Le. public plazas) shall be provided as shown on the plans and a public pedestrian walkway shall be maintained through the restaurant court. Revised landscape plans shall be provided that show how public and private open space shall conform to the following additional standards:
  - a. Open spaces shall incorporate an improved balance between landscaping and hardscape surface.
  - b. The interior courtyards shall be organized into a series of outdoor spaces which function as gathering areas.
  - c. Shade trees, vegetation (i.e., ground cover, shrubs and trees, trellises and other vertical planting elements), seating areas and water features and/or other design elements shall be incorporated throughout the project's open spaces and shall serve as focal points and unifying elements of interior courtyard spaces and public plazas, including the Jefferson Boulevard arcade, the restaurant court and entry plazas at both the southeast and northeast corners of the site.
  - d. A pedestrian scale shall be reinforced through the use of the elements listed in Condition 6.b in the public open spaces.
7. **Urban Design Standards.**
  - a. All windows on the north, south and east elevations shall be made of transparent, non-reflective glass.
  - b. The western and northern facades of the parking structure shall be fully screened with landscaping and/or architectural cladding using materials and architectural features that complement the design of the main building.
8. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect, to the satisfaction of the Planning Department.
9. **Parking Structure Ramps.** Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.
10. **Underground Utilities.** All new utility lines which directly service the site shall be installed underground as approved by the Department of Water and Power.
11. **Maintenance.** The subject property including sidewalks and landscaped areas shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.
12. **Signs.** Prior to the issuance of any permit for signage on the subject property, the developer shall submit a project signage plan to the Department of City Planning for review and approval. The following additional sign restrictions shall apply.
  - a. Temporary signs in the store windows and along building walls are not permitted.

- b. Signs on the subject site shall be limited to building identification (wall) signs, business/tenant (wall) signs, vehicular and pedestrian directional signs (particularly for pedestrians moving from parking areas to the various uses in the building and the adjacent streets) and project amenity signs (i.e. projecting and/or monument signs), subject to applicable provisions of the Building Code. They shall not be of a flashing or animated type so as to not constitute a distraction to traffic on the adjacent streets. Pedestrian scale signs are encouraged.
  - c. A comprehensive system of directional signs in all parking areas shall be developed in order to facilitate traffic movement on site to assist project visitors to easily locate ingress and egress points to adjacent streets, subject to the review and approval of both the Department of Transportation and the Department of City Planning.
  - d. Can Signs shall be prohibited. Can Signs are defined as follows: a sign whose text, logos and/or symbols are placed on the plastic face of an enclosed cabinet attached to the face of the building. The face may be translucent or opaque and may be illuminated or unilluminated.
  - e. Illuminated Architectural Canopy Signs, Pole Signs and Supergraphic Signs, as defined in Division 62 of the Building Code, shall be prohibited.
  - f. Architectural Ledge Signs shall be permitted. Architectural Ledge Signs are defined as a type of roof sign with individual Channel Letters or an image identifying a business in the same building, or the individual numbers of an address, or which stand atop a horizontal projection forming a narrow shelf on a wall or architectural projection.
  - g. Off-site signage shall be prohibited, except for identification signage for the Shrine Auditorium.
- 13. Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning.
- 14. Trash and Storage Area(s).** Trash and storage areas shall be enclosed by a minimum six foot high solid masonry block walls. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. Trash areas shall not be located in the rear yard.
- 15. Noise (Receiving, Trash, Storage Areas).** Any activities associated with areas devoted to trash compacting, loading and unloading, and receiving, shall be limited as follows: Monday through Friday, 7:00 AM to 8:00 PM; Saturday, 10:00 AM to 4:00 PM; no receiving, trash, or storage area use shall be allowed on Sunday or legal holidays.
- 16. Graffiti.** Every building, structure, or portion thereof shall be maintained in a safe and sanitary condition and good repair. The premises of every building or structure shall be maintained in good repair and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all privately owned buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.

**B. Other Conditions**

1. **Posting of Construction Activities.** During construction, the adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for (1) Department of Transportation, Parking Enforcement; (2) Building and Safety enforcement; and, (3) the owner and /or construction contractor where residents can inquire about the construction process and to register complaints. The applicant shall be required to respond within 24 hours of any complaint.

**C. Environmental Conditions****1. Air Quality (Project Operation).**

- a. The property manager shall provide information to Project residents, commercial tenants, and employees regarding the availability of alternative modes of transportation, such as the USC Tram, MTA buses, and the LADOT DASH.
- b. The property manager shall ensure that on-site bicycle parking is accessible, safe and secure.
- c. Low-emission water heaters shall be installed for the residential units.
- d. Built in, energy-efficient appliances shall be installed in all residences.
- e. Double-glass, laminated or otherwise approved paned windows shall be installed in all exterior windows of residences and non-residential structures.
- f. Light-colored roof materials to reflect heat shall be installed on all roofed structures.
- g. The construction of all inhabitable and/or ventilated structures shall comply with Title 24.
- h. Landscaped areas shall include shade trees to reduce heating/cooling needs.
- i. Energy-efficient and automated controls for air conditioners shall be installed in all ventilated building and building units.
- j. Lighting controls and energy-efficient lighting shall be installed in all non-residential buildings and on non-residential properties.

**2. Air Quality (Construction).**

- a. The Applicant shall develop and implement a dust control plan, as approved by the City, which includes measures recommended by the SCAQMD in Rule 403, or equivalently effective measures approved by SCAQMD.
  - i. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification or other measures agree to by the City to all inactive construction areas (previously graded areas inactive for four days or more).

- ii. Enclose, cover, water twice daily or apply approved soil binders to exposed piles according to manufacturers' specifications.
  - iii. Suspend all excavating and grading operations when wind speeds exceed 25 mph.
  - iv. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded, if necessary.
  - v. All trucks hauling dirt, sand, soil or other loose materials are to be covered or should maintain at least two feet of freeboard, in accordance with Section 23114 of the California Vehicle Code.
  - vi. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads.
  - vii. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the Site each trip.
  - viii. Apply water three times daily or chemical soil stabilizes according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.
  - ix. Enforce traffic speed limits of 15 miles per hour (mph) or less on all unpaved roads.
  - x. Pave construction roads when the specific roadway path will be utilized for 120 days or more.
- b. All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
  - c. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn their engines off, when not in use, to reduce vehicle emissions. Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
  - d. Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.
  - e. All construction vehicles shall be prohibited from idling in excess of ten minutes, both on- and off-site.
  - f. The Applicant shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations.
  - g. Configure construction parking to minimize traffic interference.
  - h. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow.



- i. Schedule construction activities that affect traffic flow on the arterial system to off peak hours to the degree practicable.
- j. Re-route construction trucks away from congested streets.
- k. Consolidate truck deliveries, when possible.
- l. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site.
- m. Use methanol or natural gas-powered mobile equipment and pile drivers instead of diesel if readily available at competitive prices.
- n. Use propane- or butane-powered on-site mobile equipment instead of gasoline, if readily available at competitive prices.

### 3. General Construction.

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials, including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials and wastes shall be removed to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- b. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- d. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- e. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- f. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

### 4. Noise (Construction). The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

- a. As per Section 41.40 of the City of Los Angeles Noise Ordinance, construction operations shall be limited to the hours of 7:00AM to 6:00PM Monday through Friday, and 8:00AM to 6:00 PM on Saturdays and Holidays. No construction operations shall be permitted on Sunday.
- b. As per Section 112.05 of the City of Los Angeles Noise Ordinance, all technically feasible measures shall be implemented to reduce noise levels of construction equipment operating within 500 feet of residential areas in cases where noise levels exceed 75 dB(A) at 50 feet from the noise source. Technically feasible

measures include, but are not limited to Changing the location of stationary construction equipment, shutting off idling equipment, notifying adjacent land uses in advance of construction work, ensuring that construction equipment is fitted with modern sound reduction equipment, and installing temporary acoustic barriers around stationary construction noise sources.

- c. Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g. jack hammers) whenever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dB(A). Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible. The Applicant shall require construction contractors to ensure that construction equipment is fitted with sound reduction equipment, per manufacturer's specifications.
  - d. Signs shall be posted prior to construction activities with a phone number for the developer and contractor for residents to call with noise complaints.
  - e. Prior to construction, an 8-foot high temporary sound barrier (e.g., solid fence) shall be erected along the property line at the northwest corner of the Site, extending 200 feet along the western property line and 200 feet along the northern property line, and maintained until the completion of the superstructure.
  - f. Construction activities shall be scheduled so as 'to avoid operating several pieces of equipment simultaneously that causes high noise levels.
  - g. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment.
- 5. Hazards and Hazardous Materials.** If discolored and/or odiferous soil is encountered during construction activities, construction activities shall be stopped at the specific location where the discolored and/or odiferous soils were discovered, and appropriate soil samples shall be collected and submitted for analyses. All soil potentially considered to be impacted by hazardous materials shall be handled appropriately pending the results of the analyses. Whenever feasible, and with approval of appropriate regulatory agencies, potentially impacted soils shall be managed to have a minimal impact on the construction schedule. Appropriate management techniques may include, but are not limited to, segregating the potentially impacted soils and transporting these soils to a prepared staging area until analytical results are available to determine the final disposition of these soils. If VOC-impacted soils are discovered on site during construction activities, an Air Quality Management District (AQMD) Rule 1166 Soil Management Plan shall be filed with the South Coast AQMD. AQMD Rule 1166 prohibits on-site handling of VOC- impacted soils.

**6. Traffic and Circulation.**

- a. The Project applicant shall contribute to the funding for the installation of Adaptive Traffic Control System (ATCS) at the intersection of Figueroa Street and Adams Boulevard.

- b. The Project applicant shall contribute to the installation of dual left-turn lanes at the eastbound approach on Jefferson Boulevard at Figueroa Street and shall contribute to the funding for the installation of ATCS at the intersection.
- c. Prior to the issuance of demolition permits, the Project applicant shall cause a Construction Traffic Management Plan to be prepared and submitted to LADOT for review and approval and this shall be implemented by the construction contractor during Project construction.

**7. Storm water and Urban Runoff Pollution Control.** The project shall comply with the following:

- a. Ordinance Nos. 172,176 and 173,494 (Stormwater and Urban Runoff Pollution Control), which require the application of Best Management Practices (BMPs).
- b. Chapter IX, Division 70 of the Municipal Code, which addresses grading, excavations, and fills.
- c. The Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board (A copy of the SUSMP can be downloaded at <http://www.swrcb.ca.gov/rwqcb4/>).
- d. Applicable requirements associated with the National Pollutant Discharge Elimination System Permit regulations. The developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to the issuance of any building or grading permits. A General Permit for Stormwater Discharge shall be obtained from the Southern California Regional Water Quality Board, in accordance with NOI instructions.
- e. Stormwater BMPs shall be incorporated to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the *Development Best Management Practices Handbook Part B Planning Activities*. A signed certificate shall be required from a California licensed civil engineer or licensed architect that the proposed BMPs comply with this numerical threshold standard.
- f. A Stormwater Pollution Prevention Plan shall be prepared by a California licensed civil engineer or licensed architect, to the satisfaction of the Stormwater Management Division of the Bureau of Sanitation that shall include the following:
  - i. Identifies the sources of sediments and other pollutants that affect the quality of storm water discharge;
  - ii. A monitoring program and reporting plan for the construction period. The Storm water Pollution Prevention Plan shall be retained at the construction site.
- g. Appropriate erosion control and drainage devices shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

- h. Any connection to the sanitary sewer shall be required to receive authorization by the Bureau of Sanitation.
- i. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- j. The owner shall record a covenant and agreement satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.
- k. Design an efficient irrigation system to minimize runoff including: (1) drip irrigation for shrubs to limit excessive spray; (2) shutoff devices to prevent irrigation after significant precipitation; and (3) flow reducers.

#### **8. Utilities and Service Systems {Solid Waste}.**

- a. Prior to occupancy, the developer shall prepare and implement a Project recycling plan that includes the design and allocation of recycling collection and storage space that will comply with any applicable provisions of the Los Angeles Municipal Code.
- b. The property manager shall provide new residents and tenants with information about source reduction, recycling and procurement of recycled content materials.
- c. All waste shall be disposed of properly. Appropriately labeled recycling bins shall be used to recycle construction materials, including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal facility (construction waste).

#### **D. Administrative Conditions**

- 1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
- 2. **Code Compliance.** Area, height and use regulations of the zone classification on the subject property shall be complied with, except where herein conditions may vary.
- 3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
- 4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.

5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
7. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
8. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
9. **Mitigation Monitoring.** Pursuant to California State Public Resources Code Section 21081.6 and the California Environmental Quality Act, the applicant and any future owners, successors, heirs or assigns shall provide the Planning Department with status reports for assessing and ensuring the efficacy of the mitigation measures (environmental conditions) required herein.
  - a. Within 30 days of the effective date of this land use entitlement and prior to any Planning Department clearance of the conditions of approval contained herein, the applicant shall file a Mitigation Monitoring and Reporting Program (MMRP) in a manner satisfactory to the Planning Department which defines specific reporting and/or monitoring requirements to be enforced during project implementation. Each environmental condition shall be identified as to the responsible mitigation monitor(s), the applicable enforcement agency, the applicable monitoring agency and applicable phase of project implementation as follows:
    - i. Pre-construction (prior to issuance of a building permit);
    - ii. Construction (prior to certificate of occupancy); and
    - iii. Post-construction / maintenance (post-issuance of certificate of occupancy).

In some cases, a specific mitigation measure may require compliance monitoring during more than one phase of project implementation. Such measures shall be noted within the discussion of the specific mitigation measure in the MMRP.
  - b. The applicant shall demonstrate compliance with each mitigation measure in a written report submitted to the Planning Department and the applicable enforcement agency prior to issuance of a building permit or certificate of occupancy, and, as

applicable, provide periodic status reports to the Planning Department regarding compliance with post-construction I maintenance conditions.

- c. If the environmental conditions include post-construction I maintenance mitigation measures, the applicant and all future owners, successors, heirs or assigns shall be obligated to disclose these ongoing mitigation monitoring requirements to future buyers of the subject property.
- d. The applicant and any future owners, successors, heirs or assigns shall reimburse the Planning Department for its actual costs, reasonably and necessarily incurred, necessary to accomplish the required review of periodic status reports.