

CONDITIONS OF APPROVAL

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

(Additional BOE Improvement Conditions are listed in "Standard Condition" section on page 24)

1. That a 3-foot wide strip of land be dedicated along Bay Street and Sacramento Street adjoining the tract to complete a 33-foot wide half right-of-way in accordance with Collector Street standards of LA Mobility Plan.
2. That a 0.5-foot wide strip of land be dedicated along the alley adjoining the tract to complete a 10-foot wide half alley. In the event that the tract property remains as M3 Zone, then a 5.5-foot wide alley be dedicated to complete a 15-foot wide half alley in accordance with the Industrial Zone Alley Standards.
3. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. Prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in the email dated January 29, 2018 attached to the case file for Tract No. VTT-74868.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

5. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide copy of building records, plot plan, and certificate of occupancy of all existing structures to verify the last legal use and the number of parking spaces required and provided on each site.
 - b. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - c. Clearly identify on the Map all existing buildings to be demolished and to remain. Provide a plot plan drawn to scale that accurately dimensions all: building sizes and required yards on the site. Indicate the number of stories, height, permitted use, and the type of construction for all buildings to remain on the site. No existing building to allow to project across any property line (post dedication).
 - d. Required parking spaces are required to remain for the remaining structure on the site. Show location of all parking spaces and access driveways. Provide copies of permits and final inspection cards, for any changes in the parking requirements,

design, lay-out and relocation of any driveway.

e. Provide a copy of CPC case CPC-2016-3479-GPA-VZC-DB-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.

- f. Provide a copy of the case AA-2006-3290-PMEX. Show compliance with all the conditions/requirements of the case as applicable.
- g. Provide copies of the Lot Cut Date from Public Works - Land Records. Lot Cuts after July 29, 1962 requires a Certificate of Compliance approval from Department of City Planning.
- h. Zone Change must be recorded prior to obtaining Zoning clearance.
- i. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front, side and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
- j. The submitted map does not comply with the maximum density (800 s.f. of lot area/dwelling unit) requirement for the proposed CM-1-RIO Zone. Revise the map to show compliance with the above requirement based on the lot area after required street dedication is taken or obtain approval from the Department of City Planning.

Notes: This property is located in Freeway Adjacent Advisory Notice for sensitive Uses, ZI-2427.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact John Francia at (213) 482-0010 to schedule an appointment.

FIRE DEPARTMENT

- 6. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - A. Firefighting Personnel Access

Access for Fire Department apparatus and personnel to and into all structures shall be required.

The entrance to a Residence lobby must be within 50 feet of the desired street address curb face

Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units

The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

B. Firefighting Apparatus Access:

Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

C. Policy Exception: L.A.M.C. 57.09.03.B Exception:

When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.

This policy does not apply to single-family dwellings or to non-residential buildings.

Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units

The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

Site plans shall include all overhead utility lines adjacent to the site.

Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

D. HELIPADS ON HIGHRISE BUILDINGS

Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing pads are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing pad.

Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.

E. SECTION 510 - EMERGENCY RESPONDER RADIO COVERAGE

5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

BUREAU OF STREET LIGHTING

7. If new street lights are required, prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Note: See also Condition S-3(d) for Street Lighting Improvement conditions.

INFORMATION TECHNOLOGY AGENCY

8. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

9. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert,

indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the CM Zone.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

11. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the proposed development to one ground space lot.
 - b. Off-street parking for residential and commercial uses shall comply with the requirements of Case No. CPC-2016-3479-GPA-VZC-HD-SPR. In the event that Case No. CPC-2016-3479-GPA-VZC-HD-SPR is not approved, the project shall comply with LAMC Section 12.21-A,4.

Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (221 North Figueroa Street, Suite 1350).

- c. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 13 or better.
12. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
13. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
14. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
15. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.

16. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2016-3479-GPA-VZC-HD-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event CPC-2016-3479-GPA-VZC-HD-SPR is not approved, the subdivider shall submit a tract modification.
17. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities¹, all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:
- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.
 - If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
 - The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
 - The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
 - If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
 - The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
 - Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
 - Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act,

¹ Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, auguring, backfilling, blasting, stripping topsoil or a similar activity

California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

18. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

(i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

(ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

(iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES.

19. The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped “Exhibit B” and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the Project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Tract Map Modification unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate

instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

- (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting as required below:

Construct new street lights: two (2) on Bay Street and three (3) on Sacramento Street.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a) Bay Street being dedicated and adjoining the subdivision by the following:
 - a. A new concrete curb, a new concrete gutter, and a 13-foot full width concrete sidewalk with tree wells.
 - b. Suitable surfacing to join the existing pavements to complete a 20-foot half roadway in accordance with Industrial collector Street Standards of LA Mobility Plan.
 - c. Any necessary removal and reconstruction of existing improvements.
 - d. The necessary transitions to join the existing improvements.

- b) Improve Sacramento street being dedicated and adjoining the subdivision by the following:
 - a. A new concrete curb, a new concrete gutter, and a 13-foot full width concrete sidewalk with tree wells.
 - b. Suitable surfacing to join the existing pavements to complete a 20-foot half roadway in accordance with Industrial collector Street Standards of LA Mobility Plan.
 - c. Any necessary removal and reconstruction of existing improvements.
 - d. The necessary transitions to join the existing improvements.

- c) Improve the alley adjoining the subdivision by the construction of a suitable surfacing to complete a new full-width alley including a 2-foot wide longitudinal gutter, together with any necessary removal and reconstruction of existing improvements.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.