

## CONDITIONS OF APPROVAL

(As modified by the City Planning Commission at its meeting on March 10, 2022)

Pursuant to Section 12.24 M of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Plan.** Except as modified herein, the use and development of the subject property shall be in substantial conformance with the site plan labeled "Exhibit A" attached to the subject case file, and as conditioned herein. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Bureau, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Parking.** A minimum of 186 permanent, striped on-site parking spaces shall be provided for the project.
3. **Bicycle Parking.** A minimum of 20 on-site bicycle parking spaces shall be provided. This number shall be increased, if necessary, to accommodate all students who wish to ride bicycles to campus.
4. **Security Fences.**
  - a. The height of the proposed security fences located along the project's frontage shall not exceed eight (8) feet.
  - b. The security fences shall be attractively finished so as to avoid a fortress-like effect.
5. **Maintenance.** The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
6. **Floor Area.** The educational facility will be restricted to a total floor area of 107,172 square feet (the middle school consisting of 52,464 square feet and each high school building containing 27,354 square feet). The outdoor facilities shall be limited to three new lunch areas (consisting of 1,600 square feet, 2,000 square feet, and 4,000 square feet), an outdoor basketball court, a baseball field, and parking areas limited to occupancy by school personnel, volunteers and visiting guests.
7. **Use.** The use of the subject property shall be limited to one public charter middle school building (previously approved under CPC Case No. 2001-5575-CU-ZV) and two charter high school buildings serving grades 6 through 12.
  - a. The maximum student enrollment shall be limited to 1,300 students.
  - b. A maximum of 120 full-time employees (including administrators and teachers) shall be permitted at all times.
8. **Circulation.** Ingress to the project site shall be from Glenoaks Boulevard.

9. **Drop-off/Pick up Zone.** The drop-off and pick-up zone shall be entirely located on-site, adjacent to the property's northern frontage. The designated vehicle queuing areas shall be clearly demarcated on the ground and a path of travel for students shall be outlined, so as to ensure the safety of students.
10. **Traffic and Parking Monitors.**
  - a. Four traffic and parking monitors wearing orange vests (or other distinctive attire) and equipped with cameras shall be stationed at the following locations, Monday-Friday from 7:15 a.m. to 8:15 a.m. and 3:15 p.m. to 4:15 p.m. when school is in session:
    - i. Intersection of Cobalt Street and Glenoaks Boulevard: one monitor to discourage drivers from turning onto Cobalt and promote pedestrian safety.
    - ii. Cobalt Street, approximately 500 feet southwest of the intersection with Glenoaks Boulevard: one monitor to observe and discourage potential traffic violations and promote pedestrian safety.
    - iii. Entrance to on-site pick-up and drop-off lane: one monitor to direct traffic, discourage interruption of traffic flow, and promote pedestrian safety.
    - iv. Campus entrance gate: one monitor to discourage interruption of traffic flow and promote pedestrian safety.
  - b. Traffic and parking monitors shall wear orange vests (or other distinctive attire) and badges and shall be equipped with cameras and note-taking supplies. Parking and traffic monitors must attend a training session provided by PUC administrative and/or facility management staff before being assigned and every two months thereafter to review the school's pick up/drop off guidelines, student safety obligations, and the importance of strict compliance with the CUP conditions of approval.
11. **Violations of Traffic and Parking Rules and Regulations.** Monitors shall report any violations of the rules and regulations to the administration by parents or students, including any off-campus drop-offs or pick-ups that are observed, along with the relevant license plate numbers.
12. **Architectural Materials.**
  - a. A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to avoid creating a "backside" to the site. No facade shall create a blank wall effect.
  - b. Fence elevation drawings shall be submitted to the satisfaction of the City Planning Department.
13. **Entrance Gates.** Pedestrian entrance gates shall allow some visibility (translucency permitted if glass) to avoid creating a fortress-like effect.
14. **Use Restrictions:**

- a. Rental or lease of the facility (whether for monetary compensation or not), including filming for commercial purposes, shall be permitted on the site, subject to the following conditions:
  - i. Rental or lease of indoor facilities is permitted Monday through Friday, 8:00 a.m. to 9:00 p.m. and Saturday 8:00 a.m. to 5:00 p.m.
  - ii. Rental or lease of outdoor recreational and seating areas is permitted Monday through Friday 10:00 a.m. to 6:00 p.m. and Saturday 10:00 a.m. to 5:00 p.m.
  - iii. Filming for commercial purposes shall be prohibited in indoor facilities when educational activities are taking place, including classroom instruction, after-school and weekend educational activities, and summer school. Student filming and filming for school promotional purposes shall be permitted, provided that such filming is not done outdoors after dark where the use of artificial light is employed.
  - iv. Third-party activities that take place on the subject property shall not involve the use of amplified sound or music, alcohol, barbecues or open flames of any kind, or animals except for licensed service animals.
  - v. Third parties who rent or lease the property may use generators or motors, which shall not be located within 150 feet of any residential uses.
  - vi. Third parties who rent or lease the property shall limit all related vehicle parking to the on-site parking lot.
  - vii. A PUC staff member shall be present on site at all times while the facility is being utilized by third parties.
  - viii. PUC shall submit a list of the facility rental conditions contained herein to the Department of City Planning. A copy of the conditions must be signed by all third parties who rent the facilities.
  - ix. No incidental gaming activities as defined in Section 12.21 A.13 shall be permitted on the site.

15. **Roof Structures.** Any structures on the roof of the subject building, such as air conditioning units and other equipment, shall be fully screened from view of adjoining lots.

16. **Maximum Occupancy.** The maximum occupancy of the building at any time shall not exceed the number of persons the Fire Department establishes, and the building shall be so posted.

17. **Hours of Operation.** Hours of operation shall be as follows:

	MON	TUE	WED	THU	FRI	SAT
<b>Classroom Instruction</b>						
<b>School Year</b>	7:40 a.m.-3:45 p.m.					
<b>Summer</b>	8:00 a.m.-5:00 p.m.					
<b>After-school Instruction</b>						
<b>School Year</b>	3:30 p.m.-6:30 p.m.					
<b>Admin/Teacher Prep</b>						
<b>School Year</b>	6:30 p.m.-8:00 p.m.					
<b>Summer</b>	8:00 a.m.-5:00 p.m.					

<b>School Use of Outdoor Facilities</b>		
<b>Year-round</b>	10:00 a.m.- 5:00 p.m.	
<b>Supplemental Educational Activities (2 days/month)</b>		
<b>Year-round</b>		8:00 a.m.- 12 noon
<b>Special Events (school year: maximum 6 events/month; summer: maximum 3 events/month)</b>		
<b>Year-round</b>	9:00 a.m.-10:00 p.m.	9:00 a.m.-11:00 p.m.
<b>Third-party Facility Rental</b>		
<b>Indoors (year-round)</b>	8:00 a.m.-8:00 p.m. (when school is not in session)	8:00 a.m.- 5:00 p.m.
<b>Outdoors (year-round)</b>	10:00 a.m.-6:00 p.m. (when school is not in session)	10:00 a.m. – 5:00 p.m.

For outdoor use:

- a. Active use of outdoor areas shall be limited to the lunch shelter areas, outdoor basketball courts and baseball field\_during school operations, special events, and third-party use.
  - b. California Interscholastic Federation (CIF) league events are permitted in outdoor recreation areas and may extend beyond the hours listed above when necessary, except that they may not be scheduled in advance to begin outside the hours listed above.
18. Deleted.
  19. Deleted.
  20. **Special Events.** No more than six (6) “Special Events” per calendar month are authorized during the regular school year (August-May), and no more than two (2) per month during the summer months (June-July), for a maximum of 64 special events per year. A maximum of three (3) special events are permitted per week and not more than one (1) per day, as long as adequate off-site or valet parking is secured for each event. Records of off-site parking arrangements shall be maintained in the front office and notices shall be sent a minimum 60 days in advance prior to the event to the appropriate Council District, property owners, and businesses with 500 feet of the school property. Special events are activities involving parents and/or other visitors where more than 48 vehicles are anticipated at one time. School administrative board meetings and parent/teacher meetings are excluded from the definition of “Special Events”. Permitted hours of special events shall be confined between the hours indicated in Condition 17 above. An instructor or school staff member shall be present all events to monitor student activities, arrivals, and departures to ensure that noise impacts on adjacent neighbors are minimized. Unless modified by the City Planning Commission, the special events authorized on the property are as follows:
    - a. Back to School Nights

- b. School Performances
  - c. School Dances
  - d. Admissions Open Houses
  - e. Graduation Ceremonies
  - f. Family Meeting Nights
21. **School and Special Event Calendar.** A copy of the calendar and a list of major events shall be submitted to the appropriate Council District and residents within 500 feet of the school property upon request.
22. **Calendar Modifications.** No variation to allow any “special event” that is not included on the calendar shall be scheduled without a minimum of 60-day advance notification to the appropriate Council District and residents within 500 feet of the school property. (This requirement is not applicable to rescheduled/postponed events.)
23. **Motorized Maintenance Equipment.** Motorized sweeping of the parking lots and driveways and motorized landscape maintenance shall occur only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday.
24. Deleted.
25. **Distribution of Traffic and Parking Rules.** The school shall inform parents, students, faculty, and staff in writing on an annual basis of all rules regulating school traffic and parking.
26. Deleted.
27. **On-site Parking.** Except during special events when overflow parking has been arranged off-site, all faculty, administrators, other employees, and visitors shall be instructed by persons acting on behalf of the school to park on-site at designated locations. The applicant shall install signs indicating that parking is prohibited in the on-site spaces abutting the western property line, adjoining the residences on Cobalt Street, after 8:00 p.m. Monday-Thursday.
28. **Special Event Parking.** The School administrator shall institute a program by which parking is assigned prior to the scheduled event to parents, visitors, staff, and faculty at a specific location, whether on-site or off-site. Such a program shall be designed to avoid traffic congestion and circulation problems associated with drivers arriving at the subject property or other designated off-site parking locations and being turned away due to insufficient parking capacity.
29. **Deliveries.** Deliveries to the site shall be limited to between 6:00 a.m. and 6:00 p.m. All loading/unloading must take place in the rear parking lot, along the curb as close to the baseball field as possible. Delivery trucks may not park along the west side of the middle school building at any time.
30. **Trees.** A minimum of 52 trees shall be maintained on the school site to provide shade. In addition to the existing 46 trees in the parking lot, an additional six 24-inch box shade trees shall be planted in the parking lot to the rear of the school. The additional trees shall be distributed throughout the rear parking lot to maximize shade on the site.

31. **Emergency Plan.** An Emergency Procedures Plan shall be established identifying guidelines and procedures to be utilized in the event of fire, medical urgency, earthquake, or other emergencies to the satisfaction of the Police Department and Fire Department prior to the issuance of a certificate of occupancy. A copy of such document shall be submitted to the City Planning Department upon its approval.
32. **Security Plan.** A security plan shall be developed in consultation with the Police Department, outlining security features to be provided in conjunction with the operation of the school, prior to the issuance of a certificate of occupancy. In addition, the property owner shall provide the Commanding Officer a diagram of the site indicating access routes and any additional information that might facilitate police response. The applicant shall submit evidence of compliance to the City Planning Department.
33. **Secure Campus.** The property shall be internally secured when not in use.
34. **No Parking on Public Streets.** All administrators, teachers, volunteers, and visitors shall be expressly prohibited from parking on adjacent streets. All users and visitors shall be instructed by persons acting on behalf of the school to park at the on-site parking lot.
35. **Lighting Plan.** All lighting shall be directed onto the site. Floodlighting shall be designed and installed preclude glare to adjoining and adjacent properties. Outdoor lighting shall be designed and installed with shielding such that the light source cannot be seen from adjacent properties.
  - a. Exterior lighting for the buildings, parking lot, and the outdoor lunch areas shall be in substantial conformance with the Exterior Lighting Plan.
  - b. The parking lot shall be lit so as to create a safe and inviting environment.
36. **School Noise.**
  - a. No outdoor public address system shall be installed or maintained on the subject property. No paging system shall be installed which is audible outside the building in which it is located.
  - b. No amplified music or loud non-amplified music is permitted outside.
  - c. Compressors and other equipment which may introduce noise impacts beyond any property line shall be enclosed or otherwise attenuated so as to be inaudible off-site.
  - d. No exterior bells, horns or similar sound-emitting devices are permitted.
  - e. Staff members shall monitor the exterior corridors before and after school and between classes, and shall seek to prevent excessive noise.
  - f. Staff members shall monitor students at all times they are outside the building, including before and after school, lunch, and any breaks, to prevent excessive or unnecessary noise.
37. **Marching Bands.** There shall be no marching band or playing of marching band instruments outdoors on the subject property at any time.

38. **Complaint Log.** A complaint log shall be maintained of all complaints from nearby property owners or businesses, and a copy of the complaint log shall be made available to anyone upon request. The school administration shall be responsible for disseminating the name and phone number of the representative to the Council Office, all adjoining property owners, and the City Planning Department.
39. **Entitlement Review.** The applicant shall submit a report to the Department of City Planning detailing compliance with the conditions of this grant every two years, starting from the issuance date. The applicant shall be required to file a Plan Approval application with the Department of City Planning for any proposed change to hours of operation, structures, enrollment, or other aspect of school operations. The Plan Approval shall be determined by the Director of Planning, or the City Planning Commission on appeal. Should the Director of Planning require a public hearing, public notice shall be made to owners and occupants of properties within a radius of 500 feet.
40. **Distribution of Letter of Determination.** All school administrators, faculty, and school board members shall be provided a copy of the instant determination.
41. **Neighborhood Traffic Protection Plan.** Prior to the issuance of any certificate of occupancy for the school use, the property owner shall submit to the satisfaction of the Department of Transportation a Neighborhood Traffic Protection Plan designed to control the intrusion of school-generated traffic into the surrounding residential neighborhood and prevent on-street school-generated parking in the vicinity.
42. **Traffic Management Program.** The school shall implement a Traffic Management Program with a Trip Reduction Plan to the satisfaction of the Department of Transportation and the City Planning Department prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy.

### **Environmental Conditions**

43. **Aesthetics (Landscape Plan).** 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 and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
44. **Aesthetics (Landscape Plan).** A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
45. **Aesthetics (Surface Parking).**
  - a. A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted for every four new surface parking spaces.
  - b. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by minimum 6-inch high curb, and landscape.
  - c. An automatic irrigation plan shall be approved by the Department of City Planning.
  - d. Palm trees shall not be considered in meeting this requirement.

- e. The genus or genera of the tree(s) shall provide a minimum crown of 30'-50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No. 170, 978), Guidelines K – Vehicular Use Areas.

46. **Aesthetics (Vandalism).**

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from debris, rubbish, garbage, trash, overgrown vegetation and other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code 91.8104.15.

47. **Aesthetics (Signage).**

- a. On-site signs shall be limited to the maximum allowable under the Municipal Code.
- b. Multiple temporary signs in store windows and along building walls are not permitted.

48. **Aesthetics (Signage on Construction Barriers).**

- a. The applicant shall affix or paint a plainly visible sign, on publicly accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publicly accessible portions of the barrier.
- c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

49. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

50. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

51. **Air Pollution (Demolition, Grading, and Construction Activities).**

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduced dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- b. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- d. All direct/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.



- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- g. Trucks having no current hauling activity shall not idle but be turned off.

**52. Objectionable Odors (Commercial Trash Receptacles).**

- a. Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use.
- b. Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.

**53. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas)**

- a. The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit the take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
- b. Proposed project activities (including disturbances to native and non-native vegetation, structures, and substrates) should take place outside of the breeding season which generally runs from March 1-August 31 (as early as February 1 for raptors) to avoid take (including disturbances, which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
- c. If project activities cannot feasibly avoid the breeding birds season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
  - Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience on conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
  - If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
  - Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the next shall be

established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.

- The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

54. **Tree Report.** Prior to the issuance of a grading or building permit, the applicant shall prepare and submit a Tree Report, prepared by a Tree Expert as defined in Section 17.02, indicating the location, size, type, and condition of all existing trees on the site. Such report shall also contain a recommendation of measures to ensure the protection, relocation, or replacement of affected trees during grading and construction activities.

55. **Tree Removal (Non-Protected Trees).**

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- c. Removal or planting of any tree in the public right-of-way requires approval of the Boards of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division of the Department of Public works, Bureau of Street Services.

56. **Erosion/Grading/Short-term Construction Impacts.**

- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- b. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside Areas. The application of Best Management Practices (BMPs) includes but is not limited to the following mitigation measures:
  - Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
  - Stockpiles, excavated and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a biodegradable soil stabilizer.

57. **Greenhouse Gas Emissions.** Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
58. **Explosion/Release (Existing Toxic/Hazardous Construction Materials).**
- a. (Asbestos). Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no asbestos-containing materials (ACM) are present in the building. If ACMs are found to be present, they will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
  - b. (Lead Paint). Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
59. **Land Use/Planning (Air Quality).** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
60. **Increased Noise Levels (Landscape Buffer).**
- a. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
  - b. A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.
61. **Increased Noise Levels (Demolition, Grading, and Construction Activities).**
- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 163,574, if any.
  - b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels in violation of Ordinance No. 144,331 and subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically feasible.
  - c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
62. **Increase Noise Levels (Parking Wall).** A 6-foot-high solid decorative masonry wall adjacent to residential use and/or zones shall be constructed if no such wall exists.
63. **Public Services – Fire.** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design

features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

64. **Public Services – Police.** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high foot-traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to “Design Out Crime Guidelines: Crime Prevention through Environmental Design”, published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1<sup>st</sup> Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
65. **Increased Vehicle Trips/Congestion.** Implementing measures detailed in the Department of Transportation’s communication to the Planning Department dated October 22, 2013 shall be complied with.
66. **Safety Hazards.**
  - a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - b. Project involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
  - c. All haul route hours shall be limited to off-peak hours as determined by Board of Building and Safety Commissioners.
  - d. The Department of Transportation shall recommend to the Building and Safety Commission Office the appropriate size of trucks allowed for hauling, best route of travel, the appropriate number of flag people.
  - e. The Department of Building and Safety shall stagger haul trucks based upon a specific area’s capacity, as determined by the Department of Transportation, and the amount of soil proposed to be hauled to minimize cumulative traffic and congestion traffics.
  - f. The applicant shall be limited to no more than two trucks at any given time within the site’s staging area.
  - g. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
67. **Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
68. **Utilities (Local Water Supplies – All New Construction).**
  - a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
  - b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.

- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g., vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- f. All restroom faucets shall be of a self-closing design.

**69. Utilities – Solid Waste Recycling.**

- a. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable materials. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

**Administrative Conditions**

- 70. **Approval, Verification, and Submittals.** Copies of any approvals, guarantees, or verification of consultations, reviews or approval, plans, etc. as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the case file.
- 71. **Code Compliance.** All area, height, and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
- 72. **Definition.** Any agencies, public officials, or legislation referenced in these conditions shall mean those agencies, public offices, legislation, or their successors, designees, or amendment to any legislation.
- 73. **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.
- 74. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

75. **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.
76. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
77. **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.