

CONDITIONS OF APPROVAL

Pursuant to Section 12.24 W.50, 12.24 S, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property.

Entitlement Conditions

1. **Use.** Authorized herein is a 80,000 square-foot self-storage facility (storage building for household goods) as authorized by LAMC Section 12.24 W.50.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage is not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.
3. **Hours of Operation.** The self-storage use may operate from 6 a.m. to 10 p.m., daily.
4. **Automobile Parking.**
 - a. A minimum of nine (9) automobile parking spaces shall be provided on-site (6839-6845 North Woodley Avenue) and 12 automobile parking may be provided off-site on the property to the north (6847-6875 North Woodley Avenue). The applicant shall either record an off-site parking covenant in conformance with LAMC Section 12.21 A.4(g) for the 12 off-site spaces or record a lot-tie between the subject property and any properties where parking is provided.
 - b. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC. All EV parking spaces required of this project shall be provided on site (6839-6845 North Woodley Avenue). Revised plans showing compliance with the on-site provisions of this Condition shall be provided to Planning.
 - c. Bicycle parking shall be provided in conformance with the LAMC. Any bicycle parking provided in accordance with the vehicle parking replacement provisions of LAMC Section 12.22 A.4 shall be provided on-site.
5. **Solar.** The project shall provide a minimum of 2,936 square feet of solar panels on the roof of the self-storage building and comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

Site Plan Review Conditions

6. **Materials.** A variety of high-quality exterior building materials, consistent with Exhibit A, shall be used. The variety of materials used shall include at least the following: concrete, metal finishes, stucco finishes, stone veneer, and clear glass glazing. Substitutes of an equal quality shall be permitted, to the satisfaction of the Department of City Planning.
7. **Lighting.** Lighting shall be installed in all areas within the business in conformance with the Los Angeles Municipal Code. The lighting shall be such that it renders all objects and persons clearly visible within the establishment.

8. **Litter.** The applicant shall be responsible for maintaining free of debris or litter the area adjacent to the premises over which they have control, including the sidewalk in front of the establishment.
9. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
10. **Landscaping.** All open areas not used for buildings, driveways, parking areas, or recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape development plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
 - a. All open areas not used for buildings, driveways, parking areas, or walkways 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 Department of City Planning.
 - b. In compliance with LAMC 46.02, the applicant shall replace the existing California Black Walnut protected tree with four (4) California Bay Laurel (*Umbellularia Californica*) trees or equivalent species with a minimum 24-inch box size, subject to review and approval by Urban Forestry.
11. **Signage.** On-site signs shall be limited to the maximum allowable under the Los Angeles Municipal Code.
12. **Pedestrian Path of Travel.** A direct pedestrian path of travel shall be provided from the office and lobby entrances to Woodley Avenue, as shown in Exhibit A.
13. **Roof Structures.** Any structures on the roof, such as air conditioning units and other mechanical equipment, shall be fully screened (with such screening material incorporated in the design of the project) from public right of way and set back as far as possible from any adjoining residential uses or zones. The building parapet may be used to screen mechanical equipment as long as it fully obstructs the view of the mechanical equipment from abutting properties.
14. **Transformer.** Any on-site transformer shall be screened with landscaping, subject to LADWP review and approval.
15. **Trash Enclosure.** The subject building may use the enclosed and screened trash area located on the abutting property to the north (6847-6875 North Woodley Avenue) so long as a lot-tie is recorded tying the two sites together. Should a lot-tie not be approved, a trash enclosure or fully enclosed trash room shall be provided on-site (6839-6845 North Woodley Avenue) and revised plans shall be submitted to Planning for review and approval.

Environmental Conditions – Project Design Features (PDF)

16. **BIO-PDF-1.** The Project is required to comply with Protected Tree Regulations Section 46.02 (Ordinance 186,873) of the Los Angeles Municipal Code. Specifically, the Project is required to develop a Tree Maintenance and Replacement Plan including irrigation. The Tree Maintenance and Replacement Plan is required to include the following: Protected trees removed as part of a project must be mitigated at a 4:1 ratio; Protected trees must be replaced with quality, nursery stock of like native

species; and Removed native species should be replaced with 15-gallon (at least), “protected” native species selected from quality nursery stock.

Enforcement Agency: City of Los Angeles Department of Public Works, Urban Forestry Division

Monitoring Agency: City of Los Angeles Department of Public Works, Urban Forestry Division

Monitoring Phase: Construction

Monitoring Frequency: Once during plan check and one during field inspection

Action Indicating Compliance: Building Permit Clearances and Field inspection sign-off

17. **AES-PDF-1.** All outdoor and parking lighting shall be shielded and down-cast within the site in a manner that prevents the illumination of adjacent residential properties and the night sky, unless otherwise required for other safety purposes as determined by the City of Los Angeles during permitting.

Enforcement Agency: City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once during field inspection

Action Indicating Compliance: Field inspection sign-off

18. **GEO-PDF-1.** The project shall be designed and constructed in accordance with the requirements provided in the Geotechnical Investigations, which shall be approved by the Department of Building and Safety prior to issuance of building and grading permits.

Enforcement Agency: City of Los Angeles Department of Building and Safety

Monitoring Agency: City of Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once at plan check

Action Indicating Compliance: Plan check approval and issuance of applicable building permit

19. **NOI-PDF-1.** The project construction contractor shall use on-site electrical sources and solar generators to power equipment rather than diesel generators where feasible.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once at plan check; Periodic field inspections

Action Indicating Compliance: Plan check approval and issuance of applicable building permit; Quarterly compliance report submitted by the Project contractor

20. **TRA-PDF-1.** Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction; Construction
Monitoring Frequency: Once at plan check; Periodic field inspections
Action Indicating Compliance: Plan check approval and issuance of applicable building permit; Quarterly compliance report submitted by the Project contractor

21. **TRA-PDF-2.** Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction; Construction
Monitoring Frequency: Once at plan check; Periodic field inspections
Action Indicating Compliance: Plan check approval and issuance of applicable building permit; Quarterly compliance report submitted by the Project contractor

22. **TRA-PDF-3.** Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction; Construction
Monitoring Frequency: Once at plan check; Periodic field inspections
Action Indicating Compliance: Plan check approval and issuance of applicable building permit; Quarterly compliance report submitted by the Project contractor

23. **TRA-PDF-4.** Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction; Construction
Monitoring Frequency: Once at plan check; Periodic field inspections
Action Indicating Compliance: Plan check approval and issuance of applicable building permit; Quarterly compliance report submitted by the Project contractor

A. Environmental Conditions – Mitigation Measures (MM)

24. **CUL-MM-1.** Prior to the issuance of a demolition permit, the Applicant shall retain a qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (qualified Archaeologist) to oversee an archaeological monitor who shall be present during construction activities on the Project Site such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The monitor shall have the authority to direct the pace of construction equipment in areas of higher sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the

materials being excavated (younger sediments vs. older sediments), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the qualified Archaeologist. Prior to commencement of excavation activities, an Archaeological Sensitivity Training shall be given for construction personnel. The training session, shall be carried out by the qualified Archaeologist, will focus on how to identify archaeological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with archaeologist if resource(s) are discovered

Action Indicating Compliance: If unanticipated discoveries are found, submittal of compliance report by a qualified archaeologist

25. **CUL-MM-2.** In the event that historic (e.g., bottles, foundations, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A 50-foot buffer shall be established by the qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the qualified Archaeologist. If a resource is determined by the qualified Archaeologist to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to Public Resources Code Section 21083.2(g), the qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the project area, consultation with interested Native American parties will be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If in coordination with the City, it is determined that preservation in place is not feasible, appropriate treatment of the resource shall be developed by the qualified Archaeologist in coordination with the City and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with archaeologist if resource(s) are discovered

Action Indicating Compliance: If unanticipated discoveries are found, submittal of compliance report by a qualified archaeologist

26. **CUL-MM-3.**The qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the Project applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the development and required mitigation measures.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with archaeologist if resource(s) are discovered

Action Indicating Compliance: If unanticipated discoveries are found, submittal of compliance report by a qualified archaeologist

27. **CUL-MM-4.** If human remains are encountered unexpectedly during implementation of the Project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the land owner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the land owner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains

with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with archaeologist if resource(s) are discovered

Action Indicating Compliance: If unanticipated discoveries are found, submittal of compliance report by a qualified archaeologist

Administrative Conditions

28. **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 Department of City Planning for placement in the subject file.
29. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
30. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
31. **Department of Building & Safety.** The granting of this determination does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
32. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
33. **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 assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

34. **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.
35. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
36. **Building Plans.** Page 1 of the grants 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.
37. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to 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.
38. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
39. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. 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.
- b. 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.
- c. 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 (b).

- d. 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 (b).
- e. If the City determines it necessary to protect the City's interests, 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, commission, 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.