

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on September 14, 2023)

Pursuant to Sections 12.24 of the LAMC, the following conditions are hereby imposed upon the use of the subject property:

Conditional Use Conditions

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. 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 LA City Planning to impose additional corrective Conditions, if, in LA City Planning's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. 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.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in the case file.
7. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provide for the inclusion in the case file.
8. Authorized herein is the sale of beer and wine for off-site consumption in conjunction with 27,714 square-foot athletic stadium. The grant shall be subject to the following limitations:
 - a. The sale of beer and wine during stadium events shall end at 10:00 p.m.

- b. Indoor seating shall be limited to a maximum of 2,202 seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
 9. After hour use shall be prohibited, except routine cleanup. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
 10. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
 11. State licensed security guards shall be provided. There shall be at least one security guard for every 250 attendees for the duration of any games and/or special events that are open to the public. Security personnel shall wear clothing or uniforms that are easily identifiable. The security guard shall regularly patrol the area under the control of the establishment to prevent loitering or undesirable activity by persons around the premises. The security guard must be certified by the State Department Bureau of Consumer Affairs, Bureau and Security and Investigative Services.
 12. Only the main entrance located along University Avenue shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times, other than to permit access for deliveries, trash removal, and emergency access.
 13. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
 14. **Good Neighbor Program Complaint Log.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. At the counter of all concession stands
- Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.
15. **STAR/LEAD/RBS Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcohol Beverage Control to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.

16. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under the control of the applicant to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
17. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
18. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements, the conditions imposed by the Department of Alcoholic Beverage Control (ABC), and the conditional use herein. Every effort shall be undertaken in managing the facility to discourage illegal and criminal activities on the subject premises and in any exterior area, including accessory parking areas, over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism, and truancy occur.
19. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, the Department of Building and Safety, the Department of City Planning, or other responsible agencies. The on-site Manager and employees shall be knowledgeable of the conditions herein.
20. The applicant shall provide LA City Planning a copy of each license suspension thereof, or citation issued by the Los Angeles Police Department or State Department of Alcoholic Beverage Control upon such issuance.
21. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris or litter.
22. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
23. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

Environmental Conditions - Mitigation Measures (MM)

24. **Mitigation Measure A-1:** Temporary fencing (e.g., chain linked or wood) with screening material shall be used around the perimeter of a development site to buffer views of construction equipment and materials. In addition, the following fencing requirements shall be implemented:

- 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.”
 - Such language shall appear at intervals of no less than 25 feet along the length of the publicly accessible portions of the barrier.
 - 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.
 - A sign shall be posted with the contact number of the construction manager so that he/she may address safety and other issues related to construction.
25. **Mitigation Measure A-2:** The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.
26. **Mitigation Measure A-3:** All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the City of Los Angeles Department of Planning.
27. **Mitigation Measure A-4:** All new sidewalks along the proposed Project’s street frontages shall be paved with concrete or other safe, non-slip material to create an environment accommodating to pedestrians.
28. **Mitigation Measure A-5:** All new street and pedestrian lighting within the public right-of-way required for the proposed Project shall be approved by the Bureau of Street Lighting and tested in accordance with its requirements.
29. **Mitigation Measure A-6:** All new street and pedestrian lighting required for the proposed Project, including lighting for the proposed athletic field, shall be shielded and directed away from any off-site light-sensitive uses.
30. **Mitigation Measure A-7:** All exterior windows and glass used on building surfaces shall be non-reflective or treated with a non-reflective coating. In addition, 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.
31. **Mitigation Measure B-1:** All unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting and/or use of soil binders could reduce fugitive dust by as much as 61 percent in comparison to 55 percent for twice daily.
32. **Mitigation Measure B-2:** The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust such that dust emissions are not visible in the atmosphere beyond the property line of the emission source or the dust emissions

do not exceed 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook), if the dust emission is the result of movement of a motorized vehicle.

33. **Mitigation Measure B-3:** All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. Use of dry rotary brushes for removal of mud or dirt from adjacent public shall be prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. In addition, use of blower devices for this activity shall be expressly forbidden.
34. **Mitigation Measure B-4:** All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust that would result in dust emissions visible in the atmosphere beyond the property line of the emission source or the dust emissions exceed 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook), if the dust emission is the result of movement of a motorized vehicle.
35. **Mitigation Measure B-5:** All earth moving or excavation activities shall be discontinued during periods of high winds (i.e., greater than 25 mph), so as to prevent excessive amounts of dust that would result in dust emissions visible in the atmosphere beyond the property line of the emission source or the dust emissions exceed 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook), if the dust emission is the result of movement of a motorized vehicle.
36. **Mitigation Measure B-6:** All equipment shall be properly tuned and maintained in accordance with manufacturer's specifications and catalytic converters shall be installed on all heavy machinery working on-site, if feasible.
37. **Mitigation Measure B-7:** General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues will have their engines turned off after five minutes when not in use, to reduce vehicle emissions. Construction activities should be phased and scheduled to avoid emissions peaks and pollutant emission generating construction activities discontinued during second-stage smog alerts.
38. **Mitigation Measure B-8:** Petroleum powered construction activity shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators unless use of electricity from power poles would present a safety concern to the general public or USC faculty, staff, or students.
39. **Mitigation Measure B-9:** Proposed buildings shall be designed to minimize the need for the application of architectural coatings. Where the application of architectural coatings is necessary, low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt, and architectural coatings, or pre-fabricated architectural panels, shall be used to reduce VOC emissions.
40. **Mitigation Measure B-10:** All areas where construction vehicles are parked, staged, or operating shall be visibly posted with signs stating, "No idling in excess of 5 minutes or shut off engines."

41. **Mitigation Measure B-11:** The project representative shall make available to the lead agency and SCAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be time of mobilization of each applicable unit of equipment. Off-road diesel-powered construction equipment shall meet the Tier standards based on the following schedule:
- January 1, 2011, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all diesel construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all diesel construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations, until such time that a Tier 4 replacement equipment is available.
42. **Mitigation Measure B-12:** To ensure compliance with SCAQMD Rule 403 and dust control requirements and mitigation measures, a person shall be designated as an on-site construction mitigation manager. This construction mitigation manager shall be identified prior to construction. Where applicable for large operations as defined in SCAQMD Rule 403, this person shall have completed the AQMD Fugitive Dust Control Class and been issued a valid Certificate of Completion and have a current CARB certification for Visible Emission Evaluation. Duties of the construction mitigation manager should include but are not limited to:
- Implementing a comprehensive communications strategy including establishment of a construction mitigation hotline.
 - Create construction surveys and monitoring plans to control dust, vibrations, work hours, and noise as well as issues such as preventing contractor parking on residential streets.
 - Implementing procedures to address complaints in a timely and effective manner.
 - Monitoring the dust control program and ordering increased watering, as necessary, to prevent transport of dust offsite.
43. **Mitigation Measure B-13:** The University shall ensure that emissions from all off-road diesel powered equipment used on the Project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the lead agency and SCAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be kept on-site throughout the duration of the

Project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SCAQMD and/or other officials may conduct periodic site inspections to determine compliance.

44. **Mitigation Measure B-14:** The University shall locate stationary construction equipment (e.g., generators) exhaust away from sensitive receptors such as fresh air intakes to buildings, air conditioners and operable windows.
45. **Mitigation Measure B-15:** The University shall employ a construction site manager to verify that engines are properly maintained and keep a maintenance log.
46. **Mitigation Measure B-16:** Diesel trucks used by construction contractor(s) at the site shall meet post-1996 diesel requirements. In addition, suppliers and vendors (e.g., soil export, concrete, lumber) that potentially could result in more than one delivery per day to the Project site shall have written into contracts a requirement that diesel trucks accessing the Project site must meet EPA's on- road diesel post-1996 requirements.
47. **Mitigation Measure B-17:** The use of conventional cut-back asphalt for paving shall be prohibited and the maximum VOC content of asphalt emulsion shall be restricted to standards set in SCAQMD Rule 1108.1.
48. **Mitigation Measure B-18:** A publicly visible sign with the telephone number and person to contact regarding dust complaints shall be clearly posted at the Project site. This person shall respond and take corrective action within 24 hrs.
49. **Mitigation Measure B-19:** Prior to land use clearance, the University shall include, as a note on a separate informational sheet to be recorded with map, dust control requirements. All requirements shall be shown on grading and building plans. In addition, prior to final occupancy, the University shall demonstrate that all ground surfaces are covered or treated sufficiently to minimize fugitive dust emissions.
50. **Mitigation Measure B-20:** All roadways, driveways, sidewalks, etc., to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
51. **Mitigation Measure B-21:** The University shall establish a program to make available MERV 10 filters during site grading/excavation activities within Subarea 3. Recipients shall be limited to sensitive uses (e.g., residential, schools, daycare centers) within the following area: south of West 29th Street; east of South Vermont Avenue; north of West Jefferson Boulevard; and west of uses immediately east of Hoover Street and also including 32nd Street Elementary School.
52. **Mitigation Measure B-22:** Monthly routine testing of emergency generators shall be scheduled on different days to minimize short-term emissions. If the emergency generators are owned by private enterprises leasing space from USC, the day on which the generators may be tested shall be specified in the lease.
53. **Mitigation Measure B-23:** The Applicant shall schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods.

54. **Mitigation Measure C-1:** The Applicant shall ensure that archival documentation (similar to Historic American Building Survey [HABS] level I documentation) will be prepared for individually eligible structures or district contributors that will be demolished prior to commencement of demolition. Copies of the documentation should be stored on campus in USC's archival repository. If requested, copies will be provided to the Office of Historic Resources and the Los Angeles Conservancy.

HABS Level I documentation shall consist of the following:

- architectural and historical narrative;
 - archival drawings;
 - if adequate archival drawings are not available, measured drawings will be produced; and
 - large format photography.
55. **Mitigation Measure C-2:** Prior to receipt of the first Certificate of Occupancy, the Applicant shall nominate individual resources that have been identified in the EIR as potentially eligible for the National Register, California Register or as Los Angeles Historic-Cultural Monuments to the appropriate programs based on the significance of the individual buildings. (See Mitigation Measure C-5 for district nomination).
56. **Mitigation Measure C-3:** To ensure that historic buildings are appropriately renovated and maintained and that the impact of new construction is mitigated to a less than significant level, the University shall implement the development guidelines and procedures established in the AMMA, which is included as Appendix C-3 to the Draft EIR, which shall function as a rehabilitation and maintenance plan and a plan for compatible new construction for the identified historic district and its contributing features. This will ensure that historic structures and landscapes, both individually significant and contributors to the identified historic district, will be rehabilitated according to the *Secretary of the Interior's Standards*, and maintained according to preservation maintenance guidelines. The guidelines shall be consistent with *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*. The plan shall include:
- historic overview and context;
 - identification of individual historic resources assessments, including character-defining features;
 - principles of rehabilitation;
 - guidelines for exterior and site rehabilitation and maintenance; and
 - a Procedure for Project Implementation that establishes the specific process for project review for the rehabilitation, reuse, demolition, or adjacent new construction of buildings or sites within the USC University Park Campus Historic District, requires the services of a qualified historic preservation consultant, and includes review by the Office of Historic Resources (refer to Mitigation Measure C-6 for further discussion of this requirement).

57. **Mitigation Measure C-4:** Prior to receipt of the first Certificate of Occupancy, the Applicant shall prepare an interpretative plan for the Historic District. This plan will be used as part of USC's ongoing community outreach efforts and on-campus orientation and tours. Interpretive displays in the public areas of district contributors will be considered, as appropriate.
58. **Mitigation Measure C-5:** Prior to receipt of the first Certificate of Occupancy, the Applicant shall nominate the historic district identified as potentially eligible for the California Register for listing in the California Register.
59. **Mitigation Measure C-6:** In accordance with the Procedure for Project Implementation in the AMMA (see Mitigation Measure C-3), the University shall work with qualified preservation professionals to ensure Standards-compliant projects on campus, including the design of rehabilitation projects for district contributors, compatibility of new construction within the historic district, and periodic site visits to monitor construction adjacent to district contributors to ensure that such activities comply with the Secretary of the Interior's Standards. Historic professionals shall meet the National Park Service standards.⁵ The Procedure for Project Implementation shall apply to the proposed construction, alteration, addition, demolition, reconstruction, relocation, or removal of any building, object, or site that is:
- identified as an individual resource;
 - identified as a contributor to the USC University Park Campus Historic District;
 - identified as a resource that is both an individual resource and a contributor to the USC University Park Campus Historic District;
 - identified as a non-contributor to this Historic District; or
 - a potential development site located within the Historic District that is currently vacant or otherwise does not contain a building.
- For each type of potential activity, the Procedure for Project Implementation shall indicate: the role and responsibilities of the qualified historic professional; whether review is required by the Office of Historic Resources; and what type of public review and/or comment period (if any) is required.
60. **Mitigation Measure C-7:** The Applicant shall offer up to \$25,000 in relocation assistance to any interested party willing to relocate the two (University Club–Faculty Center and Registration Building) historic buildings that are slated for demolition provided the interested party can demonstrate a commitment to a rehabilitation of the historic building in compliance with the Secretary of Interior Standards. Such offering shall be made prior to the issuance of a demolition permit for either of these buildings.
61. **Mitigation Measure C-8:** If a unique archaeological resource is discovered during Project construction activities, work in the area shall cease and deposits shall be treated in accordance with Federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. In addition, if it is determined that an archaeological site is a historical resource, the provisions of Section 21084.1 of the Public Resources Code and CEQA Guidelines 4.5 would be implemented.
62. **Mitigation Measure D-1:** The design and construction of the proposed Project shall conform to the Los Angeles Building Code seismic standards as approved by the City of

Los Angeles Department of Building and Safety.

63. **Mitigation Measure D-2:** Geotechnical observation and testing shall be completed during the placement of new compacted fills, foundation construction, buttresses, stabilization fills, ground improvement, and any other geotechnical-related construction for each development occurring within the Project site in accordance with the requirements set forth by the City of Los Angeles Department of Building and Safety.
64. **Mitigation Measure D-3:** Individual development projects that require new building permits within the Project site shall be required to prepare site-specific geotechnical reports. The geotechnical reports shall include detailed geotechnical recommendations with regard to pile or drill caissons, footings, slabs, fill, shoring, retaining walls, site drainage, and other construction features which address the specific site conditions, design, and footprint of the proposed buildings. The geotechnical reports shall be prepared to the satisfaction of the City of Los Angeles Department of Building and Safety.
65. **Mitigation Measure D-4:** Development occurring in the former athletic field area of the Campus shall be required to provide a current subsurface geotechnical report. Specific geotechnical recommendations addressing the underlying soils shall be incorporated into the geotechnical reports for this area, and all additional geotechnical mitigation measures would be followed both prior to and during construction.
66. **Mitigation Measure D-5:** Prior to the issuance of building or grading permits, the Applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the City of Los Angeles Department of Building and Safety.
67. **Mitigation Measure D-6:** 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.
68. **Mitigation Measure D-7:** Appropriate erosion control and drainage devices shall be provided to the satisfaction of the City of Los Angeles Department of Building and Safety. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Los Angeles Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
69. **Mitigation Measure D-8:** Stockpiled and excavated soil shall be covered with secured tarps or plastic sheeting.
70. **Mitigation Measure C-9:** A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities of the Project site where excavations into the older Quaternary Alluvium may occur. The services of a qualified paleontologist shall be secured by contacting the Natural History Museum of Los Angeles County. The frequency of inspections will be based on consultation with the paleontologist and will depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where

appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains.

If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository. Any fossils collected should be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository. If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.

71. **Mitigation Measure E-1:** If during construction activities, including demolition, excavation and grading work, discolored or odorous soils are uncovered, construction activities shall be halted until the impacted area can be evaluated. Soil sampling, and if appropriate, soil vapor sampling, shall be conducted in accordance with applicable regulatory guidance documents to determine if the contamination, if any, is above regulatory levels or guidelines. Personnel conducting the sampling shall be appropriately trained in accordance with the Occupational Safety and Health Administration (OSHA) Hazardous Waste Operations and Emergency Response Standard (HAZWOPER). If contamination is detected above acceptable regulatory levels, remediation activities shall be conducted. The remediation could consist of excavation and disposal of impacted soil; in-situ treatment; and/or vapor extraction. If necessary, remedial efforts shall be conducted under the oversight of regulatory agencies including, but not limited to, the Department of Toxic Substances Control (DTSC); the City of Los Angeles Fire Department (LAFD); and the Regional Water Quality Control Board (RWQCB).
72. **Mitigation Measure E-2:** Monitoring and testing of USTs shall be continued in accordance with applicable regulations. If an UST is uncovered during the construction activities, the UST shall be removed (abandoned) in accordance with LAFD regulations. Soil sampling of the tank excavation shall be completed and if soil contamination is found, the impacted soil shall be remediated (excavated) to acceptable regulatory levels.
73. **Mitigation Measure E-3:** Prior to the issuance of demolition permits for individual construction sites within the Project site, the University shall submit verification to the City of Los Angeles Department of Building and Safety that an asbestos survey has been conducted at all existing buildings located on the construction site. If asbestos is found, the University shall follow all procedural requirements Coast Air Quality Management District Rule 1403.
74. **Mitigation Measure E-4:** Prior to the issuance of demolition permits for individual construction sites within the Project site, the University shall submit verification to the City of Los Angeles Department of Building and Safety that a lead-based paint survey has

been conducted at all existing buildings located on the construction site. If lead-based paint is found, the University shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint.

75. **Mitigation Measure E-5:** During subsurface excavation activities, including borings, trenching, and grading, Cal-OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil gases, including but not limited to methane.
76. **Mitigation Measure E-6:** Prior to issuance of a building permit for a structure located within a Methane Zone or Methane Buffer Zones, the Applicant shall comply with the applicable requirements of the City's Methane Seepage Regulations as set forth in Section 91.7101, *et seq.* of the City's Municipal Code.
77. **Mitigation Measure E-7:** During construction activities, appropriately trained construction foremen and/or supervisors shall be available to monitor the construction site for impacted soil. The foremen and/or supervisors shall be 40-hour OSHA HAZWOPER trained. In addition, field monitoring equipment (such as photo- ionization detectors, flame ionization detectors, organic vapor analyzers, or 4-gas meters) shall be utilized by construction personnel to monitor site conditions for potential hazardous conditions. If significant levels are detected by the monitoring equipment, or if conditions are identified by the construction personnel, the construction activities shall stop until further assessment of the situation can be completed by appropriate health and safety personnel.
78. **Mitigation Measure H-1:** A temporary, continuous and impermeable minimum 10 feet high, sound barrier wall shall be erected between the Project construction area and adjacent off-site noise sensitive receptors when construction activities are within 250 feet of the noise sensitive receptors and there are no intervening buildings between the construction area and the noise receptors.
79. **Mitigation Measure H-2:** Construction activities shall not occur beyond the City's allowable daytime hours of 7:00 A.M. to 9:00 P.M. Monday through Friday, on Saturday before 8:00 A.M. and after 6:00 P.M., and no construction activities shall occur on Sundays or any national holidays.
80. **Mitigation Measure H-3:** Power construction equipment shall be equipped with state-of-the- art noise shielding and muffling devices. All equipment shall be properly maintained to assure that no additional noise due to worn or improperly maintained parts would be generated.
81. **Mitigation Measure H-4:** Stationary source equipment that is flexible with regard to relocation (e.g., generators and compressors) shall be located so as to maintain the greatest distance possible from sensitive land uses and unnecessary idling of equipment shall be prohibited.
82. **Mitigation Measure H-5:** Loading and unloading of heavy construction materials shall be located on-site and away from noise-sensitive uses, to the extent feasible.
83. **Mitigation Measure J.1-1:** The Applicant shall develop and implement a Construction Traffic Management Plan that shall include notification to the LAPD of any lane closures

or other road construction.

84. **Mitigation Measure J.1-2:** During Project construction, the Applicant shall ensure that LAPD access will remain clear and unobstructed.
85. **Mitigation Measure J.1-3:** During Project construction, the Applicant shall implement security measures including security fencing, lighting, and the use of a seven- day, 24-hour security patrol.
86. **Mitigation Measure J.1-4:** The Applicant shall consult with the Los Angeles Police Department Crime Prevention Unit on crime prevention features appropriate for the design of the proposed Project.
87. **Mitigation Measure J.1-5:** Entryways, elevators, lobbies, and parking areas shall be well illuminated and designed to eliminate areas of concealment.
88. **Mitigation Measure J.1-6:** Upon Project completion, the Project Applicant shall provide the Southwest Area and Newton Area Commanding Officer with a diagram of each portion of the property, including access routes, and provide additional information that might facilitate police response.
89. **Mitigation Measure J.1-7:** The Applicant shall complete an annual assessment of on-site Project-related crime and, in response, develop and implement additional security measures.
90. **Mitigation Measure J.2-1:** The Project Applicant shall submit building plans including a plot plan for approval by the Los Angeles Fire Department prior to the recordation of the final map or approval of building permit. The plot plan shall include the following:
 - Fire lanes, where required, shall be a minimum of 20 feet in width clear to sky, posted with a sign of no less than three square feet in area and/or painted with “Fire Lane No Parking” and have an adequate approved turning area. 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;
 - No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway, of an improved street, access road, or designated fire lane, unless otherwise approved;
 - Access for LAFD apparatus and personnel shall be provided to and into all structures;
 - Locations and sizes of all fire hydrants; and
 - All structures shall be within 300 feet of an approved fire hydrant.
91. **Mitigation Measure J.2-2:** The Project Applicant shall consult with the Los Angeles Fire Department and incorporate fire prevention and suppression features appropriate to the design of the proposed Project.
92. **Mitigation Measure J.2-3:** During construction, the following measures shall be implemented:
 - Access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three

square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.

- No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
 - All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
93. **Mitigation Measure J.3-1:** Prior to construction, the Applicant shall contact the LAUSD Transportation Branch regarding potential impact to school bus routes.
94. **Mitigation Measure J.3-2:** Unrestricted access for school buses shall be maintained on street rights-of-way during construction.
95. **Mitigation Measure J.3-3:** During Project construction, construction vehicles shall comply with the provisions of the California Vehicle Code, including stopping when encountering school buses using red flashing lights.
96. **Mitigation Measure J.3-3:** Project construction activities shall not endanger passenger safety or delay student drop-off or pick-up due to changes in traffic patterns, lane adjustments, altered bus stops, or traffic lights.
97. **Mitigation Measure J.3-4:** Safe and convenient pedestrian routes to LAUSD schools shall be provided.
98. **Mitigation Measure J.3-5:** Project contractors shall maintain on-going communication with school administration at affected schools, providing sufficient notice to forewarn students and parents/guardians when existing pedestrian and vehicle routes to school may be impacted.
99. **Mitigation Measure J.3-6:** If necessary, appropriate traffic controls (signs and temporary signals) shall be installed to ensure pedestrian and vehicular safety during construction.
100. **Mitigation Measure J.3-7:** Hauling past school sites shall be prohibited, except when school is not in session. If that is infeasible, hauling shall be prohibited during school arrival or dismissal times.
101. **Mitigation Measure J.3-8:** No staging or parking of construction-related vehicles, including worker-transport vehicles, shall be permitted adjacent to school sites.
102. **Mitigation Measure J.3-9:** Crossing guards shall be provided when safety of students may be compromised by construction-related activities at impacted school crossings.
103. **Mitigation Measure J.3-10:** Barriers and/or fencing shall be installed around construction sites to secure construction equipment and site to prevent trespassing, vandalism, and attractive nuisances.

104. **Mitigation Measure J.3-11:** Security patrols shall be provided to minimize trespassing, vandalism, and short-cut attractions.
105. **Mitigation Measure L.3-1:** The construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the Department of Building and Safety prior to issuance of demolition or construction permits.
106. **Mitigation Measure L.3-2:** To facilitate on-site separation and recycling of demolition and construction-related wastes, the construction contractor should provide temporary waste separation bins on-site during demolition and construction of the proposed Project.
107. **Mitigation Measure L.3-3:** Recycling bins shall be provided at appropriate locations on the Project site to promote recycling of paper, metal, glass, and other recyclable materials. Recycling areas or rooms for collecting and loading recyclable materials shall be provided in accordance with City of Los Angeles Municipal Code Section 12.21A19.

Administrative Conditions

108. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
109. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
110. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning ("DEPARTMENT OF CITY PLANNING") and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
111. **Approvals, 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 subject file.
112. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
113. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
114. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and 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 and 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.

115. **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.
116. **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.
117. **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.
118. **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.
119. **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.
120. **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.
121. **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 in paragraph (b).
- e. 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 include 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.