

## CONDITIONS OF APPROVAL

The Advisory Agency's consideration is subject to the following conditions:

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

The tract shall be permitted to record with final map units in a number and sequence satisfactory to the Advisory Agency.

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

### BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

*(Additional BOE Improvement Conditions are listed in "Standard Condition" section on page 13)*

1. That the Central District Office of the City Department of Transportation after conditional approval of the tentative tract in a letter to City Engineer shall determine that the merger area is not necessary for a future Public Street.
2. That the tentative tract map after conditional approval be submitted for review and approval to Geometric Design Section of City Department of Transportation located at 100 South Main Street 9<sup>th</sup> Floor regarding the roadway narrowing and any effect to the existing and future striping of Maple Avenue specially the Center Line Striping at the intersection of Maple Avenue and 7<sup>th</sup> Street. In the event that above approval cannot be obtained from the Department of Transportation Geometric Design Section then the applicant shall submit a revised map showing the alternate options satisfactory to the Department of Transportation and the City Engineer.
3. That the Department of City Planning determine that the Proposed merger area is consistent with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan.
4. In the event that Department of Transportation and the City Planning Department have no objection to the street merger then a 12-foot-wide existing public right-of-way (33-foot measured from centerline of Maple Avenue) strip of land along portion of Maple Avenue adjoining the tract (as shown on the tentative tract map stamp dated July 11, 2018) be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer: A Certified Survey Plan shall be submitted showing exact area to be merged for the final map processing.
  - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
  - b. That satisfactory arrangements be made with all utility agencies maintaining existing facilities within the area being merged.
5. That existing future street easements along Maple Avenue and portion of 7<sup>th</sup> Street and as shown on the tentative map dated July 11, 2018 be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by

the City Engineer:

- a. That consents to the future street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have underlying or other certain rights in the area being merged.
  - b. That satisfactory arrangements be made with all utility agencies maintaining existing facilities within the area being merged.
6. That any surcharge fee in conjunction with the street merger requests be paid.
  7. That a 3-foot-wide strip of land be dedicated along Maple Avenue where there are no existing structures to remain to complete a 33-foot-wide half public right-of-way in accordance with LA Mobility Plan Collector Street standards including a 20-foot radius property line or 15-foot by 15-foot property line cut corner at the intersection with 7<sup>th</sup> Street. A Certified Survey Plan shall be submitted showing exact locations of the existing structures to remain for the final map processing.
  8. That a 3-foot-wide strip of land be dedicated along portion of 7<sup>th</sup> Street to complete a 43-foot-wide half right-of-way in accordance with Avenue II of LA Mobility Plan Standards.
  9. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewer in this area.
  10. That a set of drawings for airspace lots be submitted to the City Engineer showing the following:
    - a. Plan view at different elevations.
    - b. Isometric views.
    - c. Elevation views.
    - d. Section cuts at all locations where air space lot boundaries change.
  11. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.

#### **DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

12. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.
13. The Tract Map recorded with the County Recorder shall contain the following statement: "The approval of this Tract Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits."

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

14. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
- a. Provide a copy of CPC CPC-2016-3990-GPA-VZC-CUB-ZV-SPR. Show compliance with all the conditions/requirements of the CPC case(s) as applicable.
  - b. Zone Change must be recorded prior to obtaining Zoning clearance.
  - c. The Air Space lots cuts across the proposed Master Lots, leaving portions of Air Space lots on both sides of Master Lots. Revise the Map to have Air Space lots to be located within the proposed Master Lot boundary. Or, obtain clarification from the Advisory Agency concerning the allowable location of Air Space lots on the separate portions of Master Lots.
  - d. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
  - e. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes: Each Air Space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The submitted Map may not comply with the number of parking spaces required by Section 12.21 A 4.(a) based on number of habitable rooms in each unit. If there are insufficient numbers of parking spaces, obtain approval from the Department of City Planning.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

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

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment.

**FIRE DEPARTMENT**

15. Prior to the recordation of the final map, submit plot plans for Fire Department approval and review. The following conditions shall be satisfied:

- a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- b. One or more Knox Boxes will be required to be installed for LAFD access to project, with location and number to be determined by LAFD Field inspector. (Refer to FPB Req # 75).
- c. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- d. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.
- e. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units
- f. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- g. 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.
- h. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- i. 2014 City of Los Angeles Fire Code, Section 503.1.4 (Exception):
  - i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
  - ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
  - iii. This policy does not apply to single-family dwellings or to non-residential buildings.
- j. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street, or Fire Lane. This stairwell shall extend onto the roof.
- k. Entrance to the main lobby shall be located off the address side of the building.

- I. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- m. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- n. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- o. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- p. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- q. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- r. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- s. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- t. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- u. Submit plot plans indicating access road and turning area for Fire Department approval.
- v. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- w. 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.
- x. Site plans shall include all overhead utility lines adjacent to the site.

- y. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- z. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- aa. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- bb. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing pads are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing pad.
- cc. Each standpipe in a new high-rise building shall be provided with two remotely located FDCs for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- dd. During demolition, the Fire Department access will remain clear and unobstructed.
- ee. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
  - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
  - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
  - iii. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
  - iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
  - v. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

- ff. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting please call (213) 220-8066. You should advise any consultant representing you of this requirement as well.

#### **BUREAU OF STREET LIGHTING**

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

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

#### **INFORMATION TECHNOLOGY AGENCY**

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

#### **URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

18. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

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

#### **DEPARTMENT OF TRANSPORTATION**

19. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively.
  - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

- c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Room 550. For an appointment, call (213) 482-7024.
- d. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

#### **DEPARTMENT OF WATER AND POWER**

20. Arrangements shall be made for compliance with the Los Angeles Department of Water and Power (LADWP) Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)
21. Prior to receiving water service the developer must arrange for the Department to install fire hydrants.
22. Pressure regulators will be required in accordance with the Los Angeles City Plumbing code for the following lot(s) where pressures exceed 80 psi at the building pad elevation:
  - a. High - 93 PSI
  - b. Low - 74 PSI

#### **BUREAU OF SANITATION**

23. There are easements contained within the property. Any proposed development in close proximity to the easements must secure Department of Public Works approval. Note: This approval is for the Tract Map only and represents the office of the Bureau of Sanitation, Wastewater Collection Systems Division. The applicant may be required to obtain other necessary clearances/permits from the Bureau of Sanitation and appropriate District office of the Bureau of Engineering. If you have any questions, please contact Edgar Morales at (323) 342-6041.

#### **DEPARTMENT OF RECREATION AND PARKS**

24. That the Quimby fee be based on the C2 Zone and be paid prior to recordation of Final Tract Map. The application for Vesting Tentative Tract Map No. 74568 was deemed complete on November 1, 2016.

#### **DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

25. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to three ground space lots and 13 airspace lots.

- b. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 13 or better.
  - c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - f. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
26. Construction restrictions:
- a. Scheduling of construction activities shall be made so as to reduce the effect on traffic flow on surrounding arterial streets.
  - b. Pedestrian access to the east side of Wall Street shall not be reduced, obstructed, or otherwise adversely affected.
  - c. No temporary sidewalk closures shall occur on the east side of Wall Street.
  - d. Throughout Project construction, signage shall be posted on-site with a Project website address and telephone number providing 24-hour contact information for a designated representative to report any complaints or violations. All such reports and inquiries shall be logged in writing. The log shall be retained and will be provided to the City upon request.
27. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2016-3990-GPA-VZC-CUB-ZV-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event CPC-2016-3990-GPA-VZC-CUB-ZV-SPR is not approved, the subdivider shall submit a tract modification.
28. Human Remains Inadvertent Discovery. In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:
- Stop immediately and contact the County Coroner:  
1104 N. Mission Road  
Los Angeles, CA 90033  
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or  
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
  - If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).

- The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
  - The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
  - If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.
29. Archaeological Resources Inadvertent Discovery. In the event that any subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5. At which time the applicant shall notify the City and consult with a qualified archaeologist who shall evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2 and shall determine the necessary findings as to the origin and disposition to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.
30. Paleontological Resources Inadvertent Discovery. In the event that any prehistoric subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.
31. **Indemnification and Reimbursement of Litigation Costs.**
- Applicant shall do all of the following:
- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the

nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

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

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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

## **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES.**

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

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

#### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting as required below:  
  
Construct new street lights: four (4) on Maple Avenue and two (2) on Wall Street. Construct new pedestrian lights: seven (7) on Maple Avenue and seven (7) on Wall Street. If street widening per BOE improvement conditions, relocate and upgrade street lights; one (1) on Maple Avenue, one (1) on Wall Street, and five (5) on 7<sup>th</sup> Street.  
  
Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.  
  
Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.
  - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve 7<sup>th</sup> Street being dedicated and adjoining the subdivision by the construction of a new full-width concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing improvements.
  - b. Improve Wall Street adjoining the subdivision by the construction of a new full-width concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing improvements.
  - c. Improve Maple Avenue being merged and adjoining the tract by construction of the following:
    - i. A concrete curb and concrete gutter and full-width concrete sidewalk with tree wells. This new curb line shall match the existing curb line on the southerly side of Maple Avenue adjoining the tract adjoining the existing structure to remain.
    - ii. Suitable surfacing to provide a 20-foot minimum half roadway. This half roadway also shall match the half roadway width along the portion of the tract with existing structure to remain.
    - iii. Any necessary removal and reconstruction of existing improvements.
    - iv. The necessary transitions to join the existing improvements.
    - v. That the above improvements also be approved by the Geometric Design Section office of Department of Transportation regarding the new striping after the narrowing of the roadway along Maple Avenue.
  - d. Improve all newly dedicated corner cuts with concrete sidewalks and reconstruction of the existing curb ramps.

NOTES:

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

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

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

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

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