

## **ORDINANCE NO. 19-1925**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON TO APPROVE ZONE CHANGE NO. 178-17, BIRCH SPECIFIC PLAN NO. 15-17, MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CONSTRUCTION A FOUR STORY, 32-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 0.78 ACRE SITE LOCATED AT 21809-21811 S. FIGUEROA STREET (CITY COUNCIL)**

#### **THE CITY COUNCIL OF THE CITY OF CARSON HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** An application was duly filed by the applicant, Anthony Laney of LA LANEY, Inc. on behalf of the property owner, Real Quest Holding, LLC, with respect to real property located at 21809 and 21811 S. Figueroa Street and described in Exhibit "A" attached hereto, requesting to construct a new four story, 32-unit residential condominium project. The ground level will be a concrete podium structure with at-grade parking on a 0.78-acre project site:

- General Plan Amendment (GPA) No. 100-17 to change the existing land use designation from High Density Residential (up to 25 dwelling units per acre) to Urban Residential (up to 65 dwelling units per acre);
- Zone Change (ZCC) No. 178-17 to change the existing zoning district from RM-18-D (Residential, Multifamily – 18 dwelling units per acre – Design Overlay) to Birch Specific Plan;
- Specific Plan (SP) No. 15-17 to create a new Specific Plan to ensure consistency with the City of Carson General Plan, Municipal Code, and Zoning Ordinance.
- Design Overlay Review (DOR) No. 1661-17 to permit the design of the proposed project to construct a 32-unit residential condominium project;
- Conditional Use Permit (CUP) No.1023-17 to permit a new multiple-family residential and to increase the residential density beyond what is currently allowed by the Zoning Ordinance;
- Tentative Tract Map (TTM) No. 76070-17 to subdivide the two existing parcels into one parcel to allow for development of 32-unit residential condominium units;
- Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP)

**Section 2.** The Planning Commission held a duly noticed public hearing to obtain public comments on the Birch Specific Plan, General Plan Amendment, Zone Change and Mitigated Negative Declaration on February 12, 2019, at 6:30 P.M. at the City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California. Following the aforesaid public hearings at which evidence was presented to and considered by said Commission, the Planning Commission, at the meeting on February 12, 2019, voted to recommend approval of General Plan Amendment No. 100-17, Zone Change No. 178-17, Specific Plan No. 15-17, and Mitigated Negative Declaration by the City Council.

**Section 3.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting, including but not limited to staff reports, along with testimony received by the applicant and other members of the public.

**Section 4.** The City Council finds that changing the zone on the property to Birch Specific Plan will allow for up to 35 unit multifamily residential use on the property comprising a 0.78 acre area.

**Section 5.** With respect to the Birch Specific Plan, Specific Plan No. 15-17, (Exhibit B) which is available for public review at city website page: <http://ci.carson.ca.us/CommunityDevelopment/Birch.aspx>, and incorporated herein by reference (the “Plan”), the City Council finds that:

- a) The Plan complies with the requirements of California Government Code Section 65451 in that the Plan does specify in detail:
  - i. The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities proposed to be located within the area covered by the Plan and needed to support the land uses as described in the Plan;
  - ii. Standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable;
  - iii. A program of implementation measures including regulations, programs, public works projects and financing measures necessary to carry out the project;
  - iv. A statement of the relationship of the Specific Plan to the General Plan.
- b) The Plan is consistent with the General Plan, as amended pursuant to GPA 100-17.
- c) The proposed project is consistent with and adheres to the Carson General Plan Urban Residential Land Use designation and adheres to the policies, goals and objectives of the Birch Specific Plan. The proposed multifamily residential condominium development is consistent with development standards of the Birch Specific Plan.

**Section 6.** With respect to the General Plan Amendment 100-17, the City Council finds that:

- a) State law requires compatibility/consistency between land use zoning classifications and the General Plan. Amending the General Plan land use designation from High Density to Urban Residential will be consistent and compatible with the existing multifamily and commercial uses in the surrounding areas of the subject site.
- b) The proposed General Plan Amendment is consistent with the General Plan goals and policies. The proposed project advances the General Plan’s goals and policies related to land use, transportation, housing and economic development.
  - a. The proposed project fulfills General Plan Policy LU-8.3 by “locating higher density residential uses in proximity to commercial centers” to “encourage pedestrian traffic and provide a consumer base for commercial uses.”
  - b. The proposed project is consistent with General Plan implementation measure LU-IM-11.1 to develop “one or more “Signature Project” to create a focal point or points for the City.” The project site is located in a highly visible zone that acts a gateway to Carson Street via the freeway and transit stops. The Specific Plan’s flexible development standards call for

increased residential density near commercial centers and projects located in this zone can promote Carson Street's overall transformation into an active, walkable mixed-use corridor.

- c. The proposed project is consistent with General Plan Goal LU-12 to create a visually attractive appearance throughout Carson. The project is part of the City's ongoing effort to develop attractive "gateways" to the city along "highly visible freeway corridors which impact the public's perception of the community" by providing "appropriate screening, landscaping and buffering".
  - d. The proposed project is consistent with General Plan Goal LU-14 to enhance "freeway corridors and major arterials which act as gateways" into the City. The Specific Plan will require the design of new buildings visible from the freeway to include adequate landscaping on all parts of the site visible from the freeway and the concealment of mechanical equipment on the roof per implementation measure LU-IM-14.4.
- c) The General Plan Amendment will ensure consistency between the Birch Specific Plan and the General Plan. The General Plan amendment will establish an Urban Residential" Land Use Designation for the Birch Specific Plan area to replace the Site's existing High Density Residential General Plan designations. The Specific Plan is consistent with the General Plan Land Use Element goals, policies and objectives.

**Section 7.** With respect to the Zone Change 178-17, the City Council finds that:

- a) The project includes a zone change application changing the existing zoning district from RM-18-D to Birch Specific Plan zoning district.
- b) A zone change, to be effectuated by ordinance changing the zoning of the Birch Specific Plan Area from RM-18-D to Birch Specific Plan zoning district (which zoning district shall have standards substantially in compliance with the Birch Specific Plan, attached hereto and incorporated herein by reference), is consistent with the General Plan, as amended pursuant to GPA 100-17. Where the Carson Zoning Ordinance regulations and/or development standards are inconsistent with Birch Specific Plan, the Birch Specific Plan standards and regulations shall prevail. The proposed "Birch Specific Plan" zone and Urban Residential General Plan Land Use designation will increase the residential density to allow up to 45 dwelling units per acre.
- c) The zone change from RM-18-D to Birch Specific Plan is compatible with the surrounding uses and compatible/consistent with a General Plan land use designation of Urban Residential upon approval of GPA 100-17.

**Section 8.** The City Council further finds that the proposed project, as mitigated pursuant to Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project, which are available for public review at <http://ci.carson.ca.us/CommunityDevelopment/Birch.aspx> and are incorporated into this Ordinance by reference, will not have a significant effect on the environment. The Planning Department publicly circulated the Draft IS/MND for a period of 20 days from May 2, 2018 through May 21, 2018. The City, its staff and officials, have independently reviewed the IS/MND and have independently reviewed and evaluated the efficacy of documents prepared by others and submitted to the City. Therefore, the City finds that:

- a) The IS/MND has been prepared in compliance with CEQA.
- b) Publication and public circulation of the Draft IS/MND complied with the requirements of CEQA
- c) Pursuant to Public Resource Code § 21082.1(c)(3), the City hereby finds that the IS/MND reflects the independent judgment of the lead agency.

**Section 9.** The City Council finds that the Birch Specific Plan Project will be responsible for satisfying an annexation in to the CFD No. 2018-01 as well the payment of the Development Impact Fee (DIF).

**Section 10.** Based on the aforementioned findings, the City Council adopts Zone Change No. 178-17, subject to the conditions of approval attached hereto as Exhibit C, to the extent applicable.

**Section 11.** Based on the aforementioned findings, the City Council adopts Specific Plan No. 15-17, subject to the conditions of approval attached hereto as Exhibit C, to the extent applicable.

**Section 12.** Based on the aforementioned findings, the City Council adopts the IS/MND and Mitigation Monitoring Plan. In the event of any inconsistencies between the mitigation measures as set forth in the IS/MND, these findings and/or the Mitigation Monitoring and Reporting Program shall control.

**Section 13.** The City Clerk shall certify to the adoption of this Ordinance and shall transmit copies of the same to the applicant.

[Signatures on following page]

**PASSED, APPROVED AND ADOPTED THIS 19<sup>TH</sup> DAY OF MARCH, 2019.**

APPROVED AS TO FORM:

CITY OF CARSON:

\_\_\_\_\_  
Sunny K. Soltani, City Attorney

\_\_\_\_\_  
Albert Robles, Mayor

ATTEST:

\_\_\_\_\_  
Donesia Gause-Aldana, MMC, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF CARSON                 )

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance 19-1925 passed first reading on the 5<sup>th</sup> day of March, 2019, adopted by the Carson City Council at its meeting held on the 19<sup>th</sup> day of March, 2019, by the following roll call vote:

AYES:           COUNCIL MEMBERS:  
NOES:           COUNCIL MEMBERS:  
ABSTAIN:       COUNCIL MEMBERS:  
ABSENT:        COUNCIL MEMBERS:

\_\_\_\_\_  
Donesia Gause-Aldana, MMC, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF CARSON                 )

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, do hereby certify that Ordinance No. 19-1925 has been duly and regularly published according to law and the order of the City Council of said City and that same was so published in *Our Weekly*, a newspaper of general circulation on the following date(s):

Adopted Ordinance: \_\_\_\_\_

In witness whereof, I have hereunto subscribed my name this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Donesia Gause-Aldana, MMC, City Clerk

**SCHEDULE A****PART VI**

6. The Tentative Map No. is a Subdivision of the land described as follows:

TRACT NO. 76070, BEING A SUBDIVISION OF LOT 41 OF TRACT NO. 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40, PAGE(S) 5 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE NORTH 165 FEET AND THAT PORTION OF SAID LAND LYING WEST OF THE WEST LINE OF THE EAST 235 FEET THEREOF AS GRANTED TO THE STATE OF CALIFORNIA IN BOOK 47490, PAGE 312 OF OFFICIAL RECORDS.

ALSO EXCEPT THEREFROM THAT PORTION OF SAID LAND AS GRANTED TO THE STATE OF CALIFORNIA IN THAT CERTAIN DEED RECORDED ON MARCH 30, 1960 AS INSTRUMENT NO. 2388 OF OFFICIAL RECORDS, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTH 165.00 FEET OF SAID LOT, DISTANT EASTERLY ALONG SAID SOUTH LINE 407.03 FEET FROM THE WEST LINE OF SAID LOT; THENCE SOUTHERLY IN A DIRECT LINE, TO A POINT ON THE SOUTH LINE OF SAID LOT, DISTANT EASTERLY ALONG SAID SOUTH LINE OF SAID LOT 405.73 FEET FROM THE SAID WEST LINE; THENCE WESTERLY ALONG SAID LAST MENTIONED SOUTH LINE 4.53 FEET TO THE WEST LINE OF THE EAST 235.00 FEET OF SAID LOT; THENCE NORTHERLY ALONG SAID LAST MENTIONED WEST LINE 165.00 FEET TO THE SAID SOUTH LINE OF THE NORTH 165.00 FEET; THENCE WESTERLY ALONG SAID LAST MENTIONED LINE, 5.78 FEET TO THE POINT OF BEGINNING.

APN: 7343-020-009; 7343-020-010

APN: **7343-020-009, 010**

**This legal description is for the sole purpose of this report and may not be considered for use in any policy of title insurance to be issued by this company; and is subject to change at any time. It is preparatory to the issuance of a Subdivision Guarantee and is intended solely for the use of those parties directly involved in the preparation and checking of said map.**



# BIRCH

Convenience for Everyday Living.  
Family Heritage & Community.  
High value. Ownership.  
Approachable, Trustworthy  
and Authentic.

## Real Quest Holding, LLC

3129 S Hacienda Blvd. #649  
Hacienda Heights, CA 91745  
contact: Chih Wang



**Laney LA, Inc.**  
13110 Hawthorne Blvd. Suite A  
Hawthorne, CA 90250  
[www.laney.la](http://www.laney.la)  
contact: Paul Choi  
[paul@laney.la](mailto:paul@laney.la)

# **Table of Contents**

## **I. Introduction and Project Description**

## **II. Surrounding Area**

## **III. Purpose and Intent of Specific Plan**

## **IV. Relationship to Other Land Use Regulations**

- a. General Plan Consistency
- b. Zoning Ordinance Consistency
- c. Procedures

## **V. Birch Specific Plan Development Standards**

- a. Permitted Uses
- b. Residential Density
- c. Floor Area Ratio
- d. Building Height
- e. Parking
- f. Streetscape Design and Public Spaces
- g. Usable Open Space

## **VI. Birch Specific Plan Building Form Requirements**

## **VII. Signage**

## **VIII. Design Guidelines**

- a. Material Samples

## **IX. Traffic, Circulation and Parking Demand Management**

## **X. Sustainability Features**

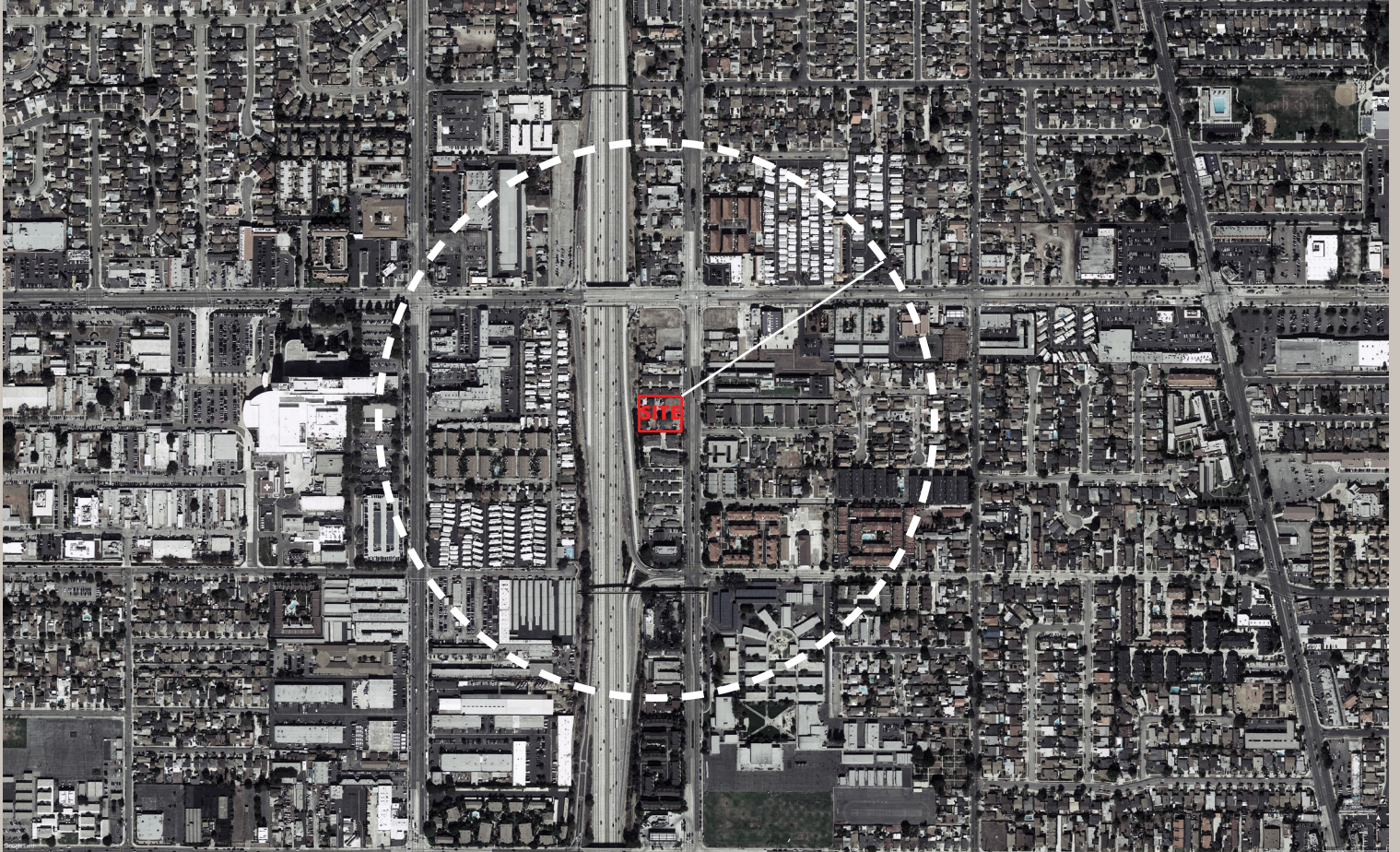


# I. Introduction and Project Description



Real Quest Holding, LLC (the "Applicant") proposes the "Birch" condominium project on 21809-21811 S Figueroa St., Carson CA 90745 (the "Site") consisting of 32 residential condominium units with a maximum of 98,500 square feet of total floor area (including 3,000 square feet of ground floor parking) (the "Project"). The Site is located on S Figueroa St south of the intersection of Figueroa St. and Carson St, within the City of Carson High Density Residential zoning district.

The Project is a raised podium type construction with on-grade parking and three levels of residential units above. The street level provides a generously landscaped entry to the building lobby, and two vehicular entrances to on-grade parking area. The Project provides 74 total parking spaces (including 10 guest parking spaces).



1/4 Mile Radius | 5 Minute Walk

## **II. Surrounding Area**

The Site or Specific Plan area is located along the western edge of the city of Carson – adjacent to the 110 freeway to the west and multifamily apartments to the east. The Site currently contains three single story residential structures with two driveways from the street. Immediately surrounding the site are single and two-story multi family buildings. The site is within a block from the intersection of Carson Street and Figueroa Street containing several commercial uses. To the south, are residential buildings along with a religious building and a middle school.



1\_Site view from east



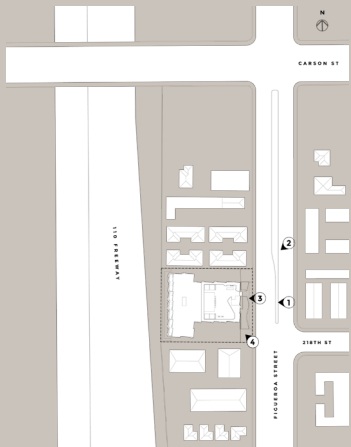
2\_Site view from north-east



3\_Existing residential structures on Site



ORDINANCE NO. 19-1925 (Exhibit "B") 4\_Existing residential structures on Site





5\_Corner of Figueroa and Carson



6\_Multi family residential building across the street

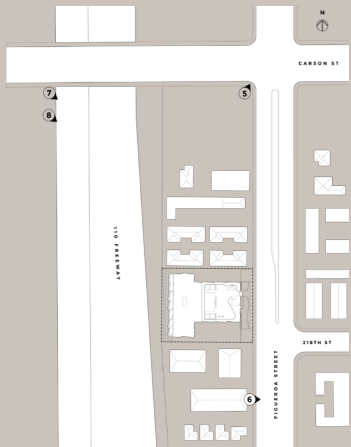


7\_View of site from across the 110 Freeway at Metro Transit Center



ORDINANCE NO. 19-1925 (Exhibit "B")

8\_View of Site from 110 Freeway



The Birch Specific Plan provides the elements, character, location, and method of implementation for this Project located at the approximately 33,703 square-foot Site. Adoption of the Specific Plan is designed to advance the City's following land use policy goals and objectives:

## **III. Purpose and Intent of Specific Plan**

### **1. URBAN DESIGN FRAMEWORK**

Provide development and form based design standards to promote the development of increased sustainable density in proximity to the Mixed Use-Carson St district.

### **2. BUILDING HEIGHT + DENSITY**

Allow additional height and density for a project that defines the street edge and serves as a transitional buffer between the 110 freeway and the multi-family residences in the surrounding area.

### **3. PEDESTRIAN NETWORK**

Establish the Site as a walkable destination for residents being served by the neighboring commercial activity along Carson St.

### **4. DESIGN STANDARDS**

Encourage design excellence and establish a high quality standard for future development to occur along Figueroa St. Provide attractive and sustainable design solutions to the properties adjacent to the 110 freeway.

### **5. RESIDENTIAL DENSITY NEAR COMMERCIAL CENTERS**

Fulfill Carson General Plan Policy LU-8.3 by "locating higher density residential uses in proximity to commercial centers" to "encourage pedestrian traffic and provide a consumer base for commercial uses." (See General Plan Land Use Element, p. LU-30).

#### 6. SITE CIRCULATION

Enhance Figueroa Street's pedestrian, bicycle, and transit-oriented characteristics while at the same time improving vehicular circulation.

#### 7. EFFICIENT RESIDENTIAL DEVELOPMENT

Promote the development of multi-family housing in close proximity to employment, transportation and activity centers as called for by Housing Element Policies 3.6 and 3.7.

#### 8. SUSTAINABLE COMMUNITIES

Require excellence in multi-family housing design consistent with Housing Element Policy 2.7 "through use of materials and colors, building treatments, landscaping, open space, parking, environmentally sensitive, and sustainable building design."



## IV. Relationship to Other Land Use Regulations



A Specific Plan is a regulatory tool to guide development in a local area consistent with the City's General Plan. While the General Plan provides the primary guide for growth and development citywide, the Specific Plan customizes the planning process to enhance and promote the unique characteristics of a special area. This Specific Plan is adopted pursuant to Section 65450 et. seq. of the California Government Code.

#### **A. GENERAL PLAN CONSISTENCY**

To ensure consistency between the Birch Specific Plan and to the City of Carson General Plan, the General Plan will be amended concurrent with adoption of this Plan. The corresponding General Plan amendment establishes an "Urban Residential" Land Use Designation for the Birch Specific Plan area to replace the Site's existing "High Density Residential" General Plan designations. The Specific Plan is consistent with the following General Plan Land Use Element goals, policies and objectives:

#### **DEVELOPMENT OF A "SIGNATURE PROJECT"**

**GOAL LU-11** "Development of one or more "Signature Project" to create a focal point or points for the City."

**CONSISTENT** Per implementation measure LU-IM-11.1, the Site is located in a highly visible zone that acts a gateway to Carson Street via the freeway and transit stops. The Specific Plan's flexible development standards call for increased residential density near commercial centers and projects located in this zone can promote Carson Street's overall transformation into an active, walkable mixed-use corridor.

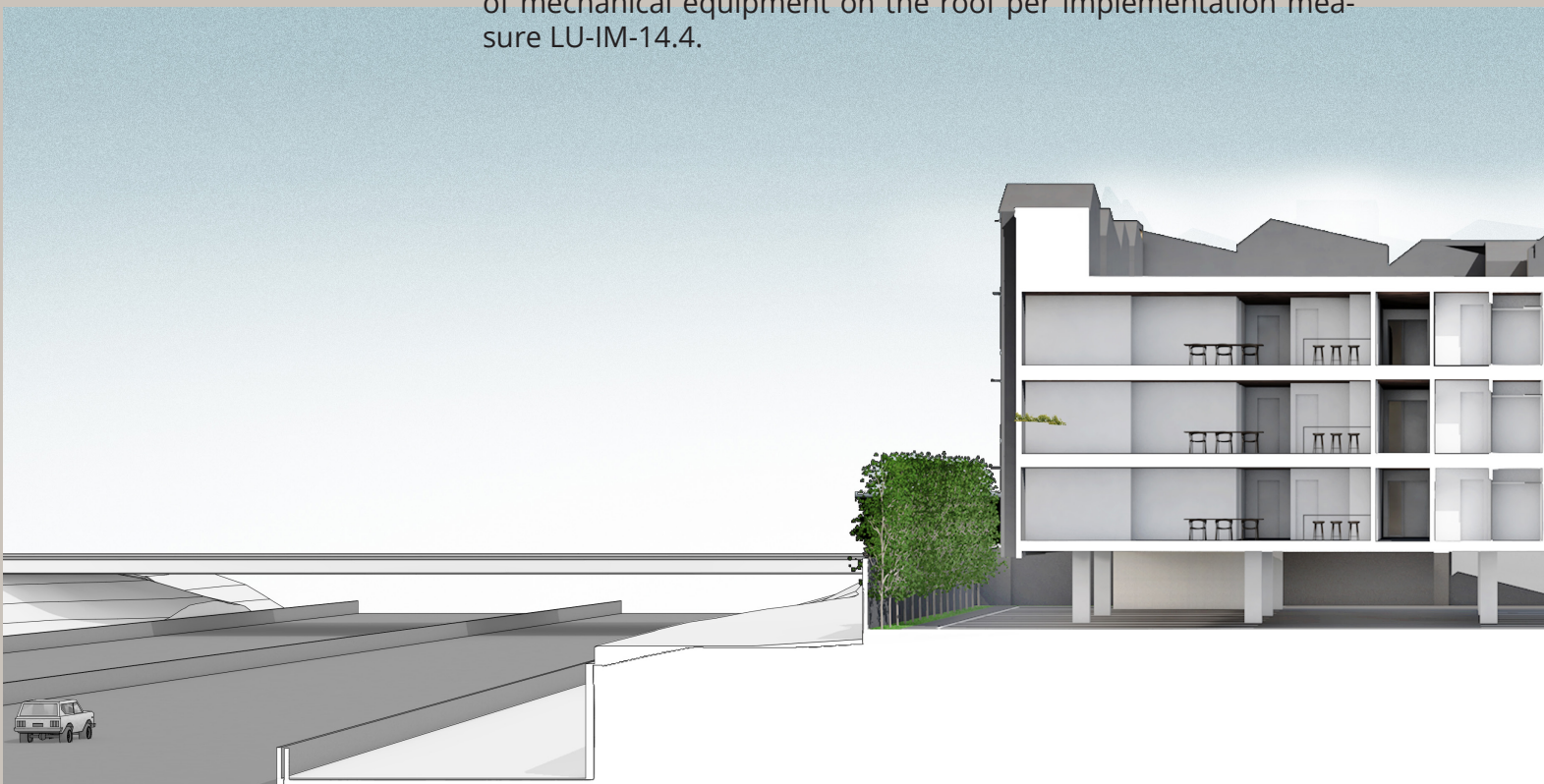
## **CITY IMAGE**

**GOAL LU-12** "Create a visually attractive appearance throughout Carson."

**CONSISTENT** The Specific Plan is proposed as part of the City's ongoing effort to develop attractive "gateways" to the city along "highly visible freeway corridors which impact the public's perception of the community" by providing "appropriate screening, landscaping and buffering" as required by LU-12.5.

**GOAL LU-14** "Enhance freeway corridors and major arterials which act as gateways into the City of Carson."

**CONSISTENT** The Specific Plan will require the design of new buildings visible from the freeway to include adequate landscaping on all parts of the site visible from the freeway and the concealment of mechanical equipment on the roof per implementation measure LU-IM-14.4.



## **B. ZONING ORDINANCE CONSISTENCY**

The Carson Zoning Code and Map is also amended by ordinance concurrent with adoption of the Specific Plan to ensure complete consistency. A "Birch" zone replaced the Site's existing "Residential Multi Family/Up to 18 units per acre with Design Overlay" (RM-18-D) zoning. Where Carson zoning regulations and/or development standards are inconsistent with this Specific Plan, the Specific Plan standards and regulations shall supersede. However, any issue not specifically addressed in the Specific Plan shall be subject to the general Planning and Zoning Code regulations. A project that requires no deviations from the regulations and/ or development standards contained herein shall be exempt from Site Plan and Design Review.



## **C. PROCEDURES**

### **A. Site Plan Review Required**

Any future proposed development that is not in substantial conformance with the standards and guidelines contained herein shall be subject to additional Site Plan and Design Review in accordance with CMC Section 9172.23.

### **B. Exceptions to this Specific Plan**

The procedures for the granting of exceptions to the requirements of this Specific Plan are set forth below. In approving an exception to this Specific Plan pursuant to this Section, the Commission granting an approval, and any City body exercising appellate review of an approval, may simultaneously approve any conditional use under their jurisdiction.

#### **1. Initiation.**

Consideration shall be initiated upon the filing of an application by the owner of the subject property or his authorized representative, in accordance with CMC 9173.1.

#### **2. Notification of Applicant.**

The City shall notify the applicant in writing within thirty days of the filing of the application that either the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the letter, must be provided.

#### **3. Hearing and Time Limit.**

The Commission shall hold a public hearing within six (6) months of the date of acceptance of the application.

#### **4. Comission Hearing Notice.**

Notice of hearing shall be given by posting and by notice through the United States mails to the applicant, to the owners of the property within five hundred (500) feet, and to any person who has filed a written request therefor, all as provided in CMC 9173.22 (California Government Code Section 65905), and in such other manner as prescribed by the laws of the State of California and as the Commission may deem necessary or desirable. The City Clerk may give such additional notice, and in such manner as may be deemed necessary or desirable by the City Clerk or the Council.

#### **5. Comission Findings and Decision.**

a. After the hearing, the Commission shall, by resolution, render its decision to approve or disapprove an Exception. In making its decision, the Commission shall adopt written findings with respect to this requirement as follows:

- i. that while site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations;
- ii. that in light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
- iii. that the project is in substantial conformance with the purpose, intent and provisions of the General Plan, any applicable community plan and any applicable specific plan.

An Exception shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property. (California Government Code Section 65906.)

b. Notice of the Commission decision shall be given as provided in CMC 9173.32.

ORDINANCE NO. 19-1925 (Exhibit "B")

**6. Conditions.**

Any Variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated (California Government Code Section 65906), and shall be subject to such conditions as will assure that any potential adverse effects will be mitigated where feasible.

**7. Effective Date and Appeal.**

a. The decision of the Commission shall become effective and final fifteen (15) days after the date of its action unless an appeal is filed in accordance with CMC 9173.4.

b. An appeal shall be considered by the Council as provided in CMC 9173.4.

# V. Birch Specific Plan Development Standards

## **A. PERMITTED USES**

For any building within the Birch Specific Plan, the Any use not specifically addressed herein shall be subject to the general Planning and Zoning Code regulations for approval:

## **B. RESIDENTIAL DENSITY**

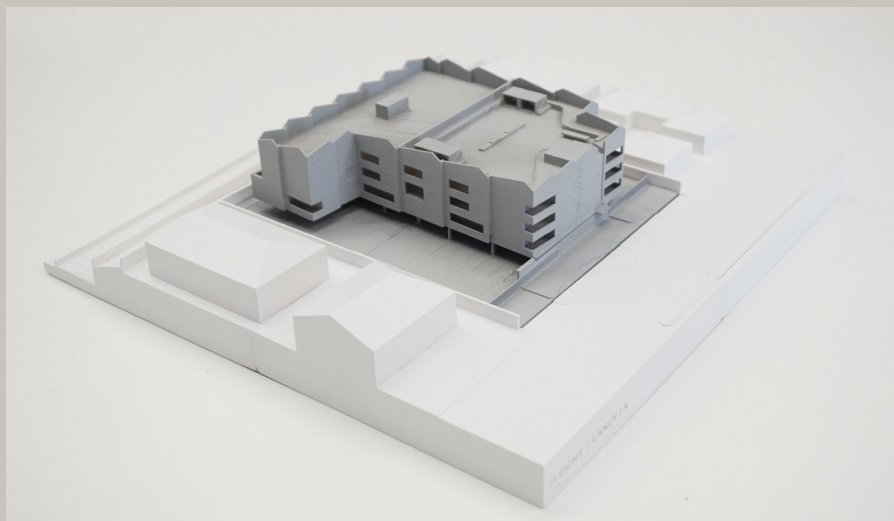
The maximum residential density is sixty-five (65) dwelling units per acre. Any fractional amount equal or greater than one-half (1/2) shall permit an additional dwelling unit.

## **C. FLOOR AREA RATIO**

Floor Area Ratio ("FAR") is defined as the ratio of floor area to total (gross) lot area (inclusive of any required dedications, or public or private easement areas). The FAR limitation in this Specific Plan shall be used to limit the above-grade gross floor area of all permitted structures to 2 to 1. The maximum above-grade gross floor area shall be determined by multiplying the FAR by the total area of the Specific Plan area (i.e., 33,703 sq ft).

## **D. BUILDING HEIGHT**

No structure within the Specific Plan area may exceed fifty five (55) feet in height as measured according to Section 9191.058 of the Carson Municipal Code. There shall be no limit to the number of stories within the 55-foot height limit.



ORDINANCE NO. 19-1925 (Exhibit "B")

#### **E. PARKING**

Parking shall be completely screened from public view except at the driveway access points into the garages. There shall be two parking entries onto the site, both on S. Figueroa Street. There shall be no internal vehicular streets in the site plan other than the minimal access into the parking areas.

Parking shall be generally provided in accordance with Sections 9305 C of the Carson Municipal Code, particularly as it describes parking standards for residential condominiums. However, the required number of guest parking spaces will be one space for every four residential units. This modified standard is consistent with the requirement for parking for Condominium units in a Mixed-Use district due to the proximity of the Site to the Mixed Use-Carson Street district.

In addition, a maximum of 40% compact stalls shall be allowed for residential parking. Tandem parking for residential uses will be allowed for individual units with two or more required stalls.

Bicycle parking shall be provided for at least five (5) percent of the total number of stalls in all parking areas (74 total residential stalls) in conformance with the Section 9138.17 - Mixed-Use-Carson Street (MU-CS) of the Carson Municipal Code. Bicycle racks and storage will be located in areas convenient to residents.

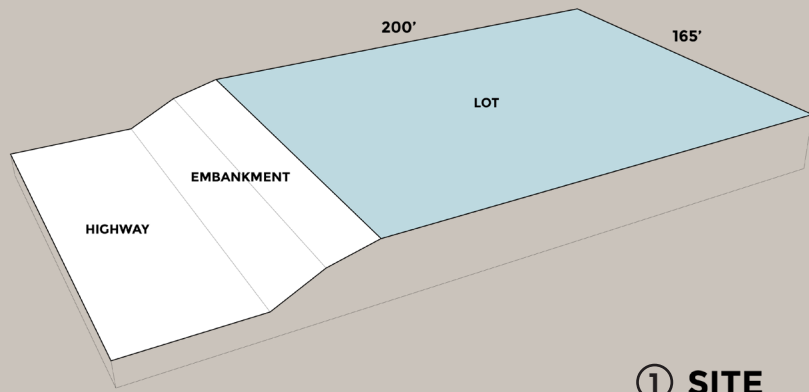
## **F. STREETScape DESIGN AND PUBLIC SPACES**

The design intent for the Birch Specific Plan project follows the concept of contextual design with emphasis on creating a sense of place and an enhanced pedestrian experience. Trees shall enhance the pedestrian scale, drought-tolerant planting materials will enhance sustainability, and over 5 feet of building setback with landscape buffers shall be provided along the public right of way.

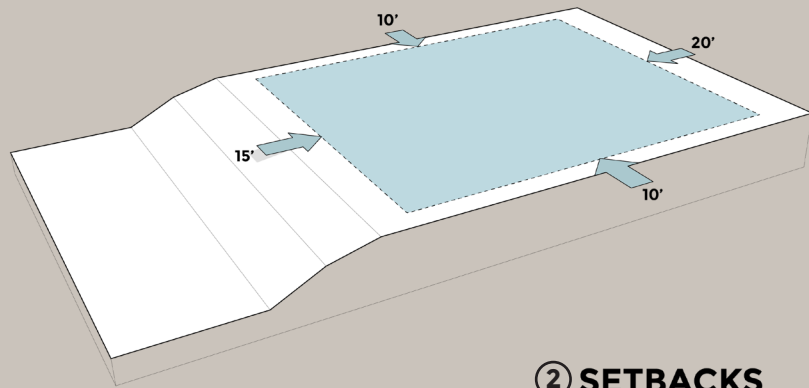
There shall be a minimum twenty (20) foot setback at the ground floor along S. Figueroa St, as measured from the property line to the building façade. Building features and projections permitted within the setback area include: stoops, porches, planters, street furniture, canopies and awnings. (See Exhibits 1-3)

Due to the Site's unique placement between S Figueroa St and the 110 Freeway, the Specific Plan is designed to address the Project's appearance from both the street and the 110 Freeway.

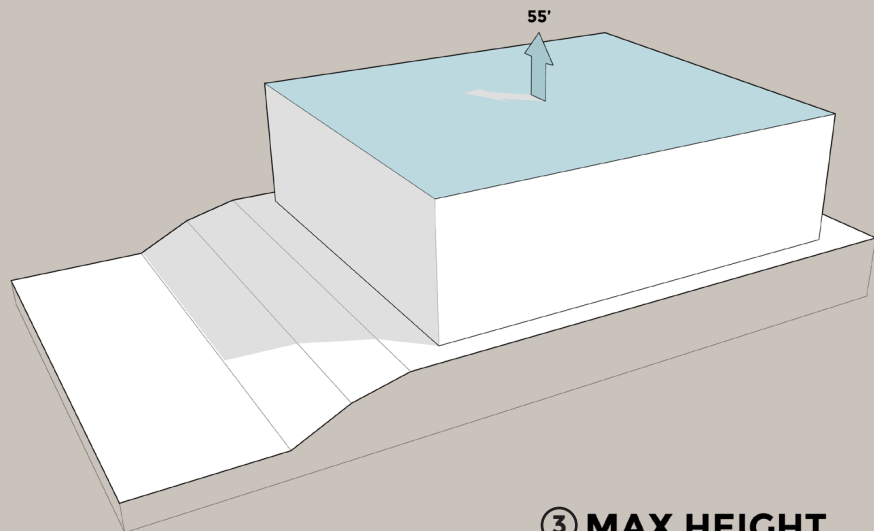
There will be a minimum two (2) foot planter along the entire edge of the property at the ground level. This planter shall be planted to mature trees in order to provide a visual buffer between the building and the view of the freeway.



**① SITE**  
165' X 200'



**② SETBACKS**  
20' in front  
15' in back  
10' on sideyard



**③ MAX HEIGHT**  
55' above grade



## **G. USUABLE OPEN SPACE**

Internally, the project shall create a system of different types of open spaces where residents and visitors can interact through different types of activities. Examples of residential amenities may include outdoor fire pits with seating, multi- functional lawns which can accommodate community movie nights and picnics, and multiple locations of barbecue grills and tables.

A project within the Specific Plan area shall provide usable open space in accordance with CMC Section 9126.28 for condominium dwelling units, which requires that there shall be usable open space of at least thirty (30) percent of the net project area for projects of one (1) acre or less, and at least forty (40) percent of the net project for projects greater than one (1) acre.

For purposes of this subsection, usable open space shall mean an area which is designed and intended to be used for active or passive recreation. Usable open space may consist of private and/or common areas.

**COMMON PUBLIC OPEN SPACES:** Common open space shall include: an approximately 1,800 square foot publicly accessible landscaped area with outdoor seating along Figueroa boulevard. (See Exhibits A-B on the following pages)

**COMMON SEMI-PUBLIC OPEN SPACES:** an approximately 6,000 square foot roof deck with an outdoor kitchen and BBQ, with multiple fire pits and seating areas along with a large turf lawn and shaded cabanas. (See Exhibits A-B on the following pages)

**PRIVATE OPEN SPACES:** part of usable open space can be private balconies, terraces and stoops for Individual units only accessible by the unit's tenant. (See Exhibits A-B on the following pages) Projects in the Birch Specific Plan shall provide private open space in accordance with CMC 9128.15.

An exception shall be made for residential units that face the 110 freeway to the west. These units shall not have private open space due to their proximity to the freeway.



Exhibit A

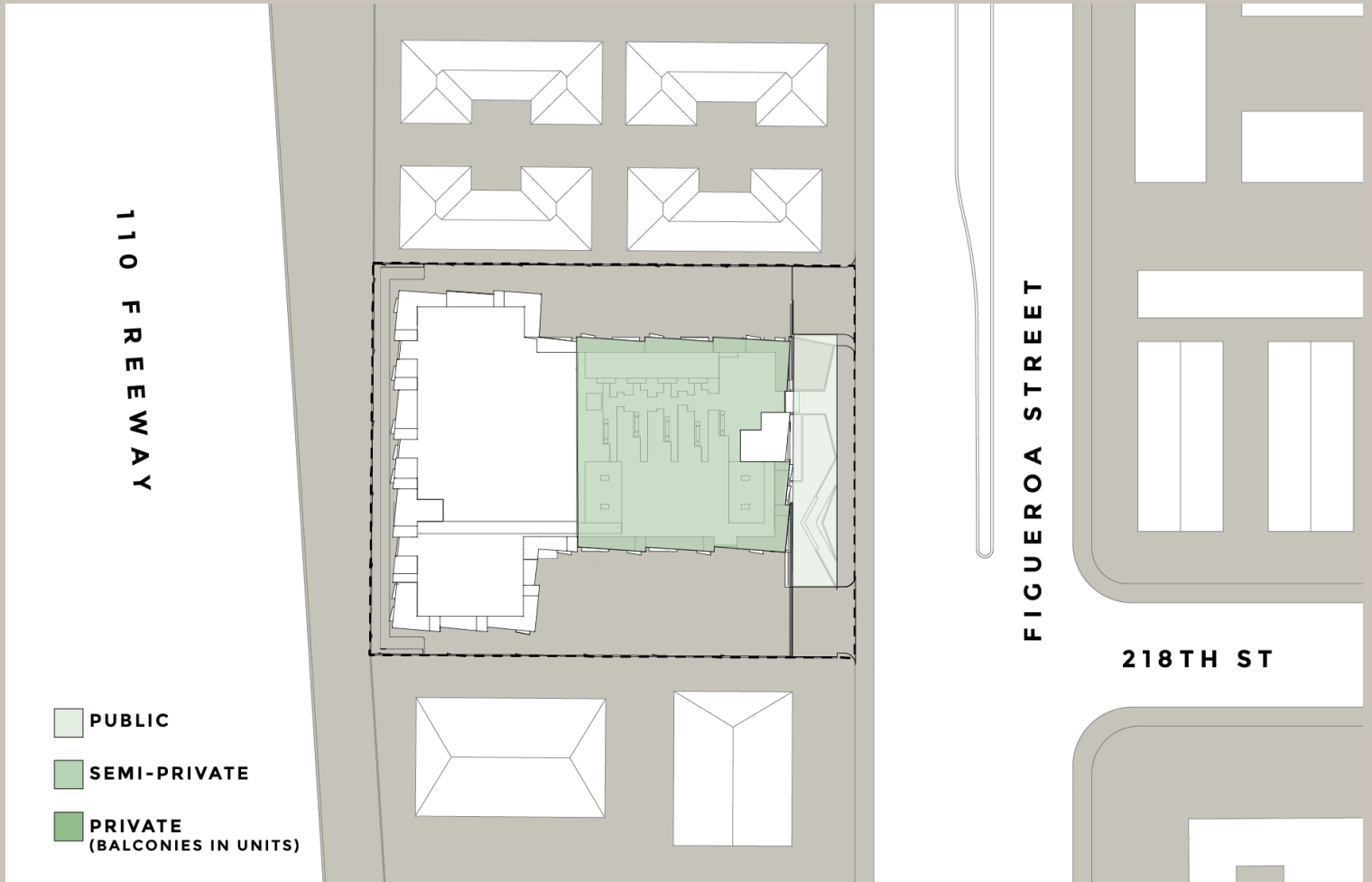


Exhibit B

# VI. Birch Specific Plan

## Building Form Requirements

The minimum building frontage in the Specific Plan area shall be sixty (60) percent of the lot width, unless modified by the Planning Commission pursuant to Birch Specific Plan section IV D. (See Exhibit A below).

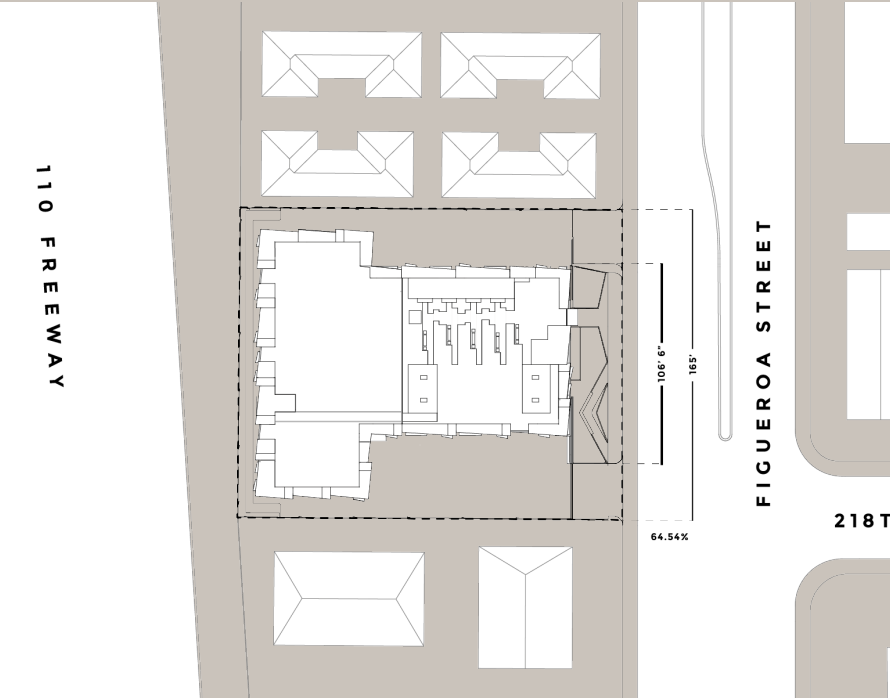


Exhibit A

No building or structure in the Specific Plan area shall exceed one hundred and fifty (150) feet per segment, unless modified by the Planning Commission pursuant to Birch Specific Plan section IV D. (See Exhibit B below).

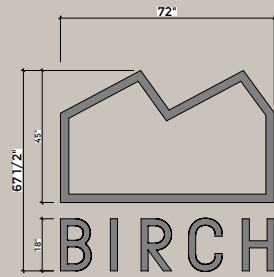


Exhibit B





The overall concept for the exterior Building Design, such as use of material, articulation to building facades and projections, including but not limited to balconies and canopies, is to create an interesting street facing elevation along Figueroa Street as well as along the 110 Freeway corridor. The massing of the buildings will allow for integration of the Birch project into the overall Carson Master Plan while retaining it's organized and efficient geometry. The second layer allows for modern and clean material applications and aesthetic composition appropriate to human scale to create a community environment.



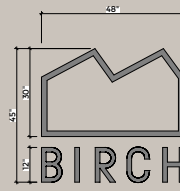
FRONT

**SIGN DESCRIPTION:**  
INDIVIDUAL ALUMINUM FABRICATED  
HALO CHANNEL LETTERS WITH LED  
BACKLIGHTING.

**SIGN AREA:**  
34 SF, HEIGHT NOT TO EXCEED 68"



SIDE



FRONT

**SIGN DESCRIPTION:**  
INDIVIDUAL ALUMINUM FABRICATED  
HALO CHANNEL LETTERS WITH LED  
BACKLIGHTING.

**SIGN AREA:**  
15 SF, HEIGHT NOT TO EXCEED 45"



SIDE



B Top of Building



A Front Entry

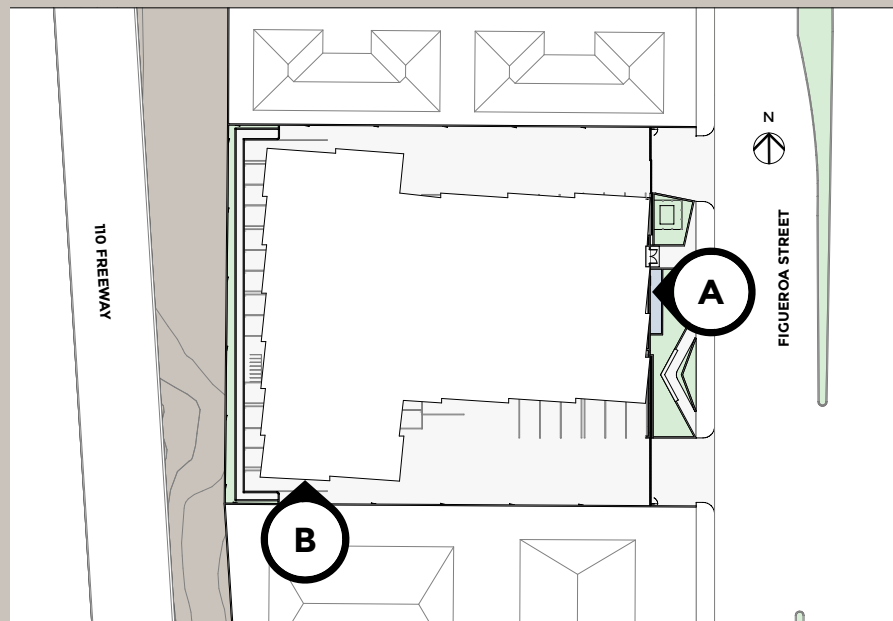


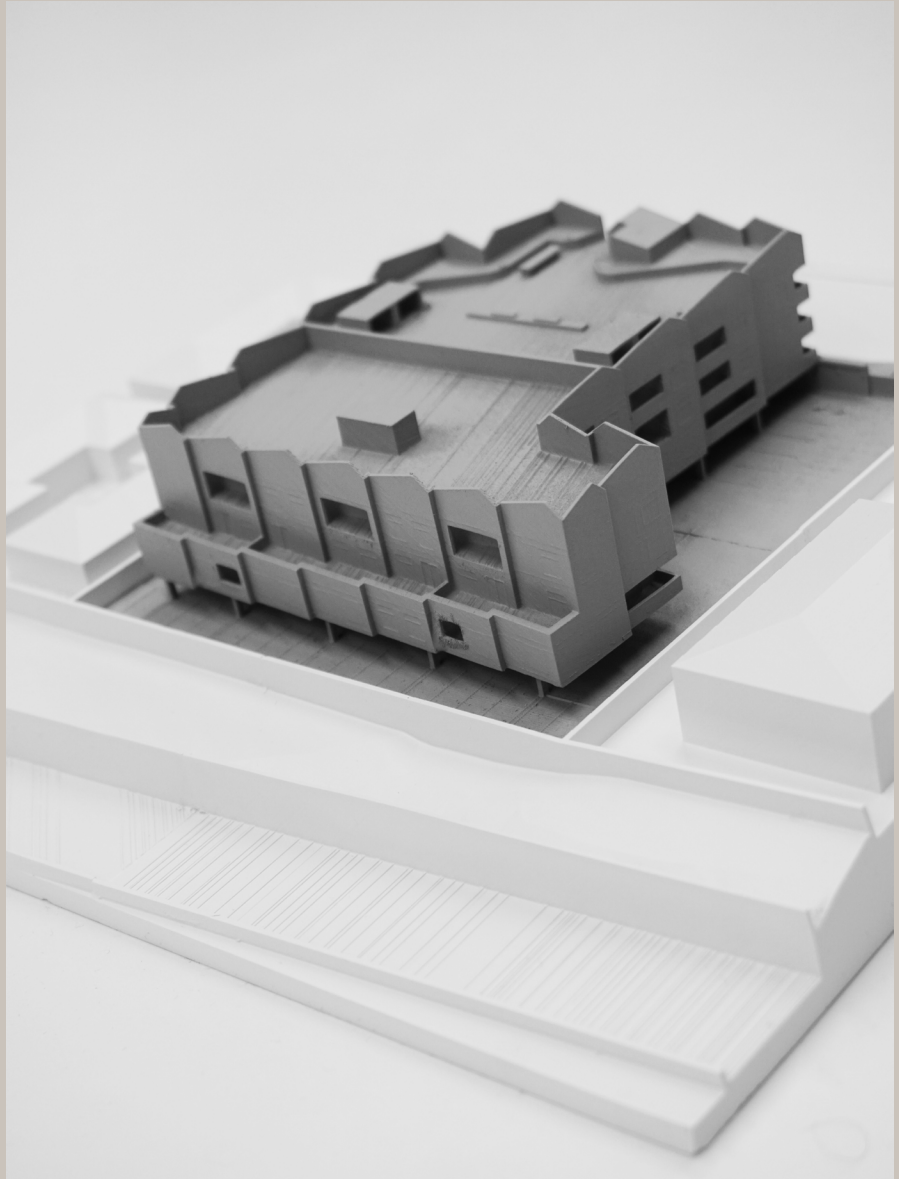
Exhibit A - Building Signs

# VII. Signage

Unless specifically addressed below, signage within the Specific Plan area shall be governed by Section 9138.17F of the CMC.

a. Capital letters shall not exceed a height of forty-eight (48) inches. Lower case letters shall not exceed a height of forty-eight (48) inches. When using a logo, logo size should not exceed fifty-four (54) inches. Two (2) rows of letters shall not exceed sixty-four (64) inches. (See Exhibit A).

b. The sign area of a wall mounted sign shall not exceed one and one-half (1.5) square foot per each foot of street frontage. Sign placement shall not exceed a maximum of one (1) per every one hundred fifty (150) linear feet of street frontage. Signs shall be located at least seven and one-half (7-1/2) feet from interior lot lines. (See Exhibit A).



# **VIII. Design Guidelines**

The Carson Street Corridor Design Guidelines and Sustainable Standards, identified in Section 9138.17J. of the CMC, are hereby incorporated by reference. However, building awning shapes within the Specific Plan area shall relate to the shape of the window and door openings, and need not comply with the Carson Street Corridor design guidelines.

#### **A. PERMITTED USES**

For any building within the Birch Specific Plan, the Any use not specifically addressed herein shall be subject to the general Planning and Zoning Code regulations for approval:

#### **B. RESIDENTIAL DENSITY**

The maximum residential density is sixty-five (65) dwelling units per acre. Any fractional amount equal or greater than one-half (1/2) shall permit an additional dwelling unit.

#### **C. FLOOR AREA RATIO**

Floor Area Ratio ("FAR") is defined as the ratio of floor area to total (gross) lot area (inclusive of any required dedications, or public or private easement areas). The FAR limitation in this Specific Plan shall be used to limit the above-grade gross floor area of all permitted structures to 2 to 1. The maximum above-grade gross floor area shall be determined by multiplying the FAR by the total area of the Specific Plan area (i.e., 33,617 sq ft).

#### **D. BUILDING HEIGHT**

No structure within the Specific Plan area may exceed fifty five (55) feet in height as measured according to Section 9191.058 of the Carson Municipal Code. There shall be no limit to the number of stories within the 55-foot height limit.



Endicott Thin Brick - Manganese Ironspot



Exterior Stucco - Benjamin Moore - Taos Taupe



Exterior Stucco - Benjamin Moore - Black Iron



Wood Siding - Kebony - Clear

## Building Materials

# IX. Traffic, Circulation, and Parking Demand Management



## **A. DEFINITIONS**

For the purpose of this section, certain words and terms are defined as follows:

**Carpool.** A vehicle carrying two to five persons to and from work on a regular schedule.

**Development.** The construction of new non-residential floor area, and residential floor area when provided in a mixed-use project.

**Gross Floor Area.** That area in square feet confined within the outside surface of the exterior walls of a building, as calculated by adding the total square footage of each of the floors in the building, except for that square footage devoted to vehicle parking and necessary interior driveways and ramps.

**Preferential Parking.** Parking spaces, designated or assigned through use of a sign or painted space markings for Carpools or Vanpools that are provided in a location more convenient to the entrance for the place of employment than parking spaces provided for single-occupant vehicles.

**Transportation Demand Management (TDM).** The alteration of travel behavior through programs of incentives, services, and policies, including encouraging the use of alternatives to single-occupant vehicles such as public transit, cycling, walking, carpooling/vanpooling and changes in work schedule that move trips out of the peak period or eliminate them altogether (as in the case in telecommuting or compressed work weeks).

**Trip Reduction.** Reduction in the number of work-related trips made by single-occupant vehicles.

**Vanpool.** A vehicle carrying six or more persons to and from work on a regular schedule, and on a prepaid basis.

**Vehicle.** Any motorized form of transportation, including but not limited to automobiles, vans, buses and motorcycles.

## **B. APPLICABILITY**

This subdivision applies to the construction of new residential gross floor area. Prior to the issuance of a building permit, the owner/applicant shall agree to provide and maintain in a state of good repair the following applicable transportation demand management and trip reduction measures.

## **C. REQUIREMENTS**

1. Residential parking shall be completely screened from public view except at the driveway access points into the garages.
2. Bicycle parking shall be provided for at least five (5) percent of the total number of stalls in all parking areas.in conformance with the Carson Municipal Code Section 9138.17 Mixed-Use – Carson Street (MU-CS).
3. Sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in the development;
4. If determined necessary by the City to mitigate the project impact, bus stop improvements shall be provided. The City will consult with the local bus service providers in determining appropriate improvements. When locating bus stops and/or planning building entrances, entrances shall be designed to provide safe and efficient access to nearby transit stations/stops;
5. Safe and convenient access from the external circulation system to bicycle parking facilities on-site.

#### **D. MONITORING**

The City shall be responsible for monitoring the owner/applicant's continual implementation and maintenance of the project trip reduction features required by this Specific Plan.



# **X. Sustainability Features**

The Birch Specific Plan project shall be based on principles of smart growth and environmental sustainability, as evidenced by its mixed-use nature, the site's proximity to the Carson Street corridors, being roughly equidistant between downtown Los Angeles and South Bay employment hubs, the accessibility of public transit, and the availability of existing infrastructure to service the proposed uses.

The Birch Specific Plan Project shall incorporate an environmentally sustainable design using green building technologies utilizing more resource-efficient modes of construction adhering to the principles of energy efficiency, water conservation, environmentally preferable building materials, and overall waste reduction. Sustainability features of the Project shall include the following:

## **1. Water Conservation**

Water conservation features shall include a range of techniques that shall enhance site sustainability. Drought-tolerant plants and indigenous species shall be utilized as part of the proposed landscaping program.

- High-efficiency toilets (maximum 1.28 gallons per flush), including dual-flush water closets.
- Residential bathroom faucets with a maximum flow rate of 1.0 gallons per minute, and kitchen faucets with a maximum flow rate of 1.5 gallons per minute. No more than one showerhead per shower stall, with a flow rate no greater than 1.75 gallons per minute.
- High-efficiency clothes washers either within individual units (with water factor of 6.0 or less) and/or in common laundry rooms (commercial washers with water factor of 7.5 or less).
- Individual metering and billing for water use of all residential uses
- Installation of high-efficiency Energy Star-rated dishwashers in all residential units.
- Weather-based irrigation controller with rain shutoff, matched precipitation (flow) rates for sprinkler heads, and rotating sprinkler nozzles or comparable technology such as drip/microspray/subsurface irrigation and moisture sensors where appropriate.
- Use of proper hydro-zoning, turf minimization, zoned irrigation and use of native/drought-tolerant plant materials.

## **2. Energy Conservation and Efficiency**

- Energy Star-labeled products and appliances shall be installed where appropriate.
- Meeting of Title 24, Part 6, California Energy Code baseline standard requirements for energy efficiency, based on the 2013 Energy Efficiency Standards requirements. Examples of design methods and technologies that shall be implemented may include, but not be limited to, high performance glazing on windows, appropriately-oriented shading devices, high efficiency boilers (if single metered), instantaneous water heaters (if individual meters), and enhanced insulation to minimize solar and thermal gain.
- Application of energy-saving technologies and components to reduce the project's electrical usage-profile. Examples of these components include compact fluorescent light bulbs (CFL), energy saving lighting schemes such as occupancy-sensing controls (where applicable), use of light emitting diode (LED) lighting or other energy-efficient lighting technologies where appropriate, and energy-efficient heating and cooling equipment.
- Incorporation of passive energy efficiency strategies, such as roof overhangs, porches, and inner courtyards.
- During operations in order to achieve maximum efficiency, while maintaining safety for residents and visitors, exterior lighting elements will be controlled by light sensors and/or timeclocks to avoid overlighting as appropriate.
- Commissioning of building energy systems to verify that the Project's building energy systems are installed, calibrated, and performing to the Owner's Project requirements.

### **3. Transportation**

- Provision of on-site bicycle storage for visitors and employees.
- Accessibility to multiple public transportation lines adjacent to the Project Site.

### **4. Air Quality**

- Participation in fundamental refrigerant management to preclude the use of chlorofluorocarbons (CFCs) in HVAC systems.
- Use of adhesives, sealants, paints, finishes, carpet, and other materials that emit low quantities of volatile organic compounds (VOCs) and/or other air quality pollutants.

### **5. Solid Waste**

- Provide on-site recycling containers to promote the recycling of paper, metal, glass, and other recyclable materials and adequate storage areas for such containers.

### **6. Noise Management**

- All building outdoor mounted mechanical and electrical equipment for the Project shall be designed to meet the noise requirements of CMC, Chapter 5. In addition, all outdoor loading dock and trash/recycling areas shall be fully or partially enclosed such that the line-of-sight between these noise sources (loading dock service area) and any adjacent noise sensitive land use shall be obstructed.

## **7. Construction and Design Elements**

- Recycling and reuse of building and construction materials to the maximum extent feasible, including the on-site recycling and reuse of concrete removed during demolition and salvaging of existing appliances and fixtures.
- Waste diversion accounting shall be utilized.

**EXHIBIT "C"**  
**CONDITIONS OF APPROVAL FOR CITY COUNCIL**  
**GENERAL PLAN AMENDMENT NO. 100-17**  
**ZONE CHANGE NO. 178-17**

**GENERAL CONDITIONS**

1. The Developer shall enter into an Agreement for Development Impact Fees and Community Facilities District participation with the City and shall comply with all its requirements. In accordance with this agreement, Developer shall be responsible for payment of one-time impact fees of \$10,000/dwelling unit. The Project contemplates a 32-unit residential condominium project. Based on the number of proposed dwelling units of the Project, Developer will be responsible for development impact fees in the amount of \$320,000 (DIF Amount), provided that if the Project increases or decreases in size, the DIF Amount will be adjusted accordingly at the same rate. No building permits shall be issued prior to the full payment of the DIF Amount.
2. City adopted CFD 2018-01 to finance the ongoing costs of the following: law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD (the CFD Services). Developer has agreed to and shall participate in the CFD No 2018-01 for these purpose so as to offset the ongoing impacts of the Project (the CFD Benefits), in accordance with the CFD Cost Allocation attached as Exhibit "A" to the Agreement For Development Impact Fees And Community Facilities District Participation, subject to each of the following:
3. Development project approval shall become null and void **two years** following the effective date of application approval unless a building permit is issued and construction is commenced and diligently pursued toward completion or a time extension has been approved by the Planning Commission. This Permit does not supersede an individual time limits specified herein for performance of specific conditions or improvements.
4. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
5. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
6. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
7. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require

review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.

8. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
9. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
10. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
11. **Covenant, Conditions, and Restrictions (CC&Rs). Covenants, Conditions and Restrictions (CC&Rs) shall be established for the project. The applicant or successor in interest shall pay for the cost of review and approval of the CC&Rs by the City Attorney. The CC&Rs shall provide for proper maintenance of the property and include other necessary conditions to carry out the terms herein, and shall be enforceable by the City, and recorded prior to development of any parcels.**
12. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
13. Indemnification. The applicant, the owner, tenant(s), and their subsequent successors (Parties) agree to defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to any damage or harm to people or property, real and personal, that may result from Property Owner(s), operations or any claims against the City for or as a result of the granting of the continuance. The City will promptly notify the Parties of any such claim, action, or proceeding against the City and Parties will pay the City's associated legal costs and will advance funds assessed by the City to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Parties' consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. Parties shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If Parties fails to provide or maintain the deposit, the City

may abandon the action and Parties shall pay all costs resulting therefrom and the City shall have no liability to Parties.

14. After project's entitlement approval, the applicant shall pay all applicable departmental fees. Fees shall be paid at the rate established by resolution of the City Council.
15. The applicant shall pay the Park and Recreation Fee pursuant to CMC Section 9207.19 Quimby fee prior to recordation of final map, or prior to issuance of building permit, whichever comes first.
16. This action shall become final and effective fifteen days after the adoption of this Resolution and subject to approval of General Plan Amendment No. 100-17, Zone Change No. 178-17, Specific Plan No. 15-17 by the City Council unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Municipal Code.

### **SPECIAL CONDITIONS**

17. **Applicant shall make commercially best efforts to provide operable windows on west façade/elevation to be used for egress only. Windows to be hardwired to trigger fire alarm when opened.**
18. **Prior to issuance of final certificate of occupancy, install building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better in all dwelling units.**
  - a) **The project's CC&Rs shall include a clause that requires residents to operate and maintain their HVAC systems, including MERV filters, to manufacturer's specifications. Future residents will be made aware of this requirement prior to purchasing their condominium during the escrow/disclosures process. Thus, the requirements to maintain the MERV filter system, as well as costs associated with such maintenance requirements, will be disclosed early on and should not be surprising to residents.**
  - b) **The disclosure shall include the following:**
    - 1) **Disclose the potential health impacts to prospective residents from living in a close proximity of I-110 and the reduced effectiveness of air filtration system when windows are open and/or when residents are outdoor (e.g., in the common usable open space areas);**
    - 2) **Identify the responsible implementing and enforcement agency such as the Home Owners Association (HOA) to ensure that enhanced filtration units are inspected regularly;**
    - 3) **Provide information to residents on where the MERV filters can be purchased;**
    - 4) **Disclose the potential increase in energy costs for running the HVAC system to prospective residents;**
    - 5) **Provide recommended schedules (e.g., once a year or every 6 months) for replacing the enhanced filtration units to prospective residents;**

- 6) Identify the responsible entity such as residents themselves, Homeowner's Association, or property management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
  - 7) Identify, provide, and disclose any ongoing cost sharing strategies, if any, for the purchase and replacement of the enhanced filtration units;
19. Prior to issuance of the building permit, the applicant shall provide community benefits as determined and approved by the Planning Division including a \$63,000 contribution to the City, and proposed amenities such as bike rack, bench, public open space, and art.
20. Within 48 hours from the City Council action, the applicant shall make any necessary revisions to the Specific Plan as required by the Conditions of approval and Government Code Section 65451 and submit to Planning Division for review and approval. No permits shall be issued until the Specific Plan is finalized as required by this Condition of Approval. The following changes shall be made to the Specific Plan for these purposes:
  - a) The residential density allowed shall be limited to 45 units per acre.

#### **AESTHETICS**

21. Texture treatment shall be incorporated into building facades, subject to the Planning Division approval.
22. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
23. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
24. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
25. Prior to Issuance of Building Permit, the specification of all colors and materials must be submitted and approved by the Planning Division.

#### **CONDOMINIUMS**

26. The condominium project shall conform to all the development standards as outlined in Section 9128.15 of the Zoning Ordinance, unless otherwise provided for in this approval.
27. The multi-family project shall conform to all the development standards as outlined in Section 9305 of the Zoning Ordinance, unless otherwise provided for in this approval.

28. The Declaration of Covenants, Conditions and Restrictions shall be provided for as outlined in Section 9128.17 of the Zoning Ordinance and submitted to the Planning Division for review and approval. The CC&Rs shall contain statements that the project will be in compliance with city, county and state regulations. The CC&Rs shall ensure proper maintenance of the common areas by a professional management agency. All Conditions of Approval shall be included within the CC&Rs. No changes to the approved CC&Rs shall be made without the City's consent. The CC&Rs shall be recorded concurrently with the map (condominiums).
29. All ground-mounted equipment including air conditioners and transformers shall be screened from public view.
30. All Conditions of Approval shall be contained within the CC&Rs.
31. The CC&Rs shall include language that prohibits the Homeowners Association (HOA) from ceasing professional property management without obtaining City of Carson City Council approval.

*Prior to occupancy of any unit*

32. The applicant shall provide a final City Attorney approved copy of the CC&Rs to the Planning Division.

**ENVIRONMENTAL**

33. **Prior to issuance of grading permit and building permit, a revised mitigation monitoring program matrix/spreadsheet shall be submitted to the City, as applicable, for review and compliance with the mitigation measures for Birch Specific Plan Mitigated Negative Declaration dated June 2018.**
34. **Prior to Certificate of Occupancy, the project shall demonstrate compliance with all applicable mitigation measures in the Mitigation Monitoring and Reporting Program for Birch Specific Plan dated June 2018. A final mitigation monitoring matrix/spreadsheet shall be submitted to the City.**

**LANDSCAPE/IRRIGATION**

35. Comply with the provisions of the Los Angeles County Green Building Code Section "Water Efficient Landscaping."
36. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
37. Installation of 6" x 6" concrete curbs are required around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning

Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.

- 38. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
- 39. The proposed irrigation system shall include best water conservation practices.
- 40. Incorporate additional landscaping to screen and block specific project areas that could be subject to graffiti as determined by the Planning Division.
- 41. Provide greenscreens on the west and north elevations, subject to the Planning Division approval.

### **LIGHTING**

- 42. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance.
- 43. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

### **PARKING**

- 44. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.

### **SIGNS**

- 45. Prior to Certificate of Occupancy for the first retail tenant, a Sign Program amendment for the Specific Plan shall be submitted and approved by the Planning Division. Sign Program shall provide the minimum and maximum letter sizes, sign area allowances, and locations for each sign type.

### **TRASH**

- 46. Trash collection shall comply with the requirements of the City's trash collection company.
- 47. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the Planning Division.

### **UTILITIES**

- 48. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.

49. Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions, and electrical utilities shall be installed underground.
50. The applicant shall remove at his/her own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
51. Any aboveground utility cabinet or equipment cabinet shall be screened from the public right-of-way by a decorative block wall or landscaping, to the satisfaction of the Planning Division.

#### **CITY OF CARSON, PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES DIVISION**

##### ***General Conditions***

52. The Developer shall submit a copy of approved Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
53. The Developer shall submit an electronic copy of approved plans (such as, Sewer, Street, and/or Storm Drain Improvements, whichever applies), to the City of Carson – Engineering Division, prior to issuance of permit by Engineering Division.
54. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
55. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of permit by Engineering Division.
56. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to approval of the Final Map.
57. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
58. Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction by the County of Los Angeles, Department of Public Works.
59. The Developer shall send a print of the development map to the County Sanitation District, to request for annexation. The request for annexation must be approved prior to Final Map approval.

##### ***Prior to Issuance of Building Permit***

60. Final Map shall be recorded.
61. The Developer shall submit improvement plans to the Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.

a. Street Improvements (if any) along Figueroa Street

62. Off-site improvements (e.g., driveways, sidewalk, parkway drains, trees, curb/gutter, etc.) shown on the grading plans must provide a concurrent submittal to City of Carson Engineering Division. Off-site improvements may be shown on a separate set of street improvement plans. Prior to issuance of Grading permit, developer shall obtain clearance from City of Carson Engineering Division.
63. All existing overhead utility lines 12 kilovolts and less along Figueroa Street shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding provided the applicant deposits the full amount of the deposit of the in-lieu fee before issuance of Building Permits. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination.

***Prior to Issuance of Certificate of Occupancy***

64. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
65. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.
66. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Figueroa Street abutting this proposed development per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
67. Fill in any missing sidewalk within the public right of way along Figueroa Street abutting this proposed development
68. Remove and replace any broken/damaged driveway approach within the public right of way along Figueroa Street abutting this proposed development per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
69. The Developer shall modify existing driveways within the public right of way along Figueroa Street abutting this proposed development per City of Carson PW Standard Drawings to comply with the ADA requirements and to the satisfaction of the City Engineer.
70. Install irrigation system for the purpose of maintaining the parkway trees to be planted within the public right of way along Figueroa Street abutting this proposed development.
71. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
72. Install striping and pavement legend per City of Carson PW Standard Drawings.

73. Paint Curbs Red along Figueroa Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
74. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
75. Streets abutting the development, shall be slurry sealed from curb-to-curb or from median-to-curb or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS). Developer may pay a fee in-lieu of application of Slurry Seal. (\$0.45 per square foot \$1,350.00 minimum fee for first location up to 3,000 square feet).
76. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

**CITY OF CARSON, PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES DIVISION – STORMWATER/NPDES UNIT**

***Prior to Issuance of Building Permit***

77. Per City of Carson ordinance 5809 developer shall comply with all applicable Low Impact Development (LID) requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations to the satisfaction of the City Engineer.
78. If applicable, developer shall provide a copy of an approved SWPPP stamped by Los Angeles County Building and Safety Division along with WDID number.
79. If applicable, developer shall provide contact information of the Qualified Storm Water Developer (QSD) and/or Qualified SWPPP (Storm Water Pollution Prevention Plan) Developer (QSP) of the site.
80. Developer shall submit digital copies of LID/NPDES/Grading Plans concurrently to City of Carson, Engineering Services Department and Los Angeles County Building & Safety Division.
81. Developer shall complete, sign and return the *Stormwater Planning Program LID Plan Checklist* form and return to City of Carson Engineering Services Division.
82. Developer shall complete and return the ***BMP Reporting Template*** spreadsheet.

***Prior to Issuance of Certificate of Occupancy***

83. For any structural and/or treatment control device installed. Developer shall record a maintenance covenant pursuant to Section 106.4.3 of the County of Los Angeles Building Code and title 12, Chapter 12.80 of the Los Angeles County Code relating to the control of pollutants carried by storm water runoff. In addition, an exhibit shall be attached to identify

the location and maintenance information for any structural and/or treatment control device installed.

84. Covenant shall be reviewed and approved by the City Engineer prior to recordation with the Los Angeles County Registrar-Recorder/County Clerk.
85. RECORDATION is the responsibility of the Developer. Provide a copy of the recorded covenant agreement to City Engineer
86. Inspection will be conducted once a year after all Post Construction Best Management Practices (BMP) are constructed.

#### **LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS**

87. The owner/applicant shall comply with LA County Department of Public Works letter dated October 24, 2018, regarding recommended conditions for final map approval for proposed Tentative Tract Map No. 76070.

#### **LOS ANGELES COUNTY PUBLIC WORKS – STREET LIGHTING SECTION**

##### ***Conditions of Annexation***

88. Provide business/property owners name, mailing address, site address, Assessor Parcel Number, and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to Street Lighting Section.
89. Submit map of the proposed project including any roadways conditioned for streetlights to Street Lighting Section. Contact Street Lighting Section for map requirements and/or questions at (626) 300-4726.

*The annexation and assessment balloting process takes approximately 12 months or more to complete once the above information is received and approved. Therefore, untimely compliance with the above may result in delaying the approval of the street lighting plans.*

##### ***Conditions of Acceptance for Street Light Transfer of Billing***

90. The area must be annexed into the lighting district and all streetlights in the project, or the approved phase of the project, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. The lighting district can assume the responsibility for the operation and maintenance of the streetlights by July 1st of any given year, provided the above conditions are met, all streetlights in the project, or approved project phase, have been constructed per Public Works approved plan and energized and the owner/developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met. The lighting district cannot pay for the operation and maintenance of streetlights located within gated communities.

#### **FIRE DEPARTMENT**

##### ***Prior to Issuance of Building Permit***

91. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
92. Provide a minimum unobstructed width of 28 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building when the height of the building above the lowest level of the Fire Department vehicular access road is more than 30 feet high, or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. Fire Code 503.1.1 and 503.2.2 Cross hatch the Fire Department vehicular access on the site plan and clearly depict the required width.
93. All proposed driveways within the development shall provide approved street names and signs. All future buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the City of Carson Department of Public Works and the County of Los Angeles Fire Code.
94. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
95. Fire Department vehicular access roads shall be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
96. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
97. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
98. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1
99. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5.
100. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3
101. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

102. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1
103. Multiple residential buildings having entrances to individual units not visible from the street or road shall have unit numbers displayed in groups for all units within each structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.1.
104. The Final Map shall be submitted to the County of Los Angeles Fire Department Fire Prevention Land Development Unit for review and approval prior recordation.

#### ***Water System Requirements***

105. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
106. The required fire flow for fire hydrants at this location is 3000 gpm, at 20 psi residual pressure, for a duration of 3 hours over and above maximum daily domestic demand. Fire Code 507.3 and Appendix B105.1
107. All fire hydrants shall measure 6" x 4" x 2-1/2", brass or bronze, conforming to American Water Works Association Standard C503, or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
108. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
109. Parking shall be restricted 30 feet adjacent to any required public fire hydrant, 15 feet on each side measured from the center of the fire hydrant. Adequate signage and/or stripping shall be required prior to occupancy.
110. All required public fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

#### **BUSINESS LICENSE DEPARTMENT – CITY OF CARSON**

111. All parties involved in the subject project including to but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.