

1 RESOLUTION No. 2017-P004

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER
3 CITY, CALIFORNIA, APPROVING ADMINISTRATIVE SITE PLAN REVIEW
4 P2016-0200-ASPR, AND TENTATIVE PARCEL MAP NO. 74145, P2016-0200-
5 TPM TO ALLOW THE CONSTRUCTION OF THREE ATTACHED
6 CONDOMINIUM UNITS AT 4234 SAWTELLE BOULEVARD IN THE
7 RESIDENTIAL MEDIUM DENSITY MULTIPLE FAMILY (RMD) ZONE.

8 (Administrative Site Plan Review, P2016-0200-ASPR;
9 Tentative Parcel Map, P2016-0200-TPM)

10 WHEREAS, on October 31, 2016, Gene Chen (the "Applicant" and "Owner") filed an
11 application for an Administrative Site Plan Review and Tentative Parcel Map to construct a two-
12 story, three (3) unit attached residential condominium development with subterranean parking
13 (the "Project"). The Project site is legally described as Lot 56 of Tract No. 7026 in the City of
14 Culver City, County of Los Angeles, State of California; and,

15 WHEREAS, in order to implement the proposed Project, approval of the following
16 applications is required:

17 1. Administrative Site Plan Review, P2016-0200-ASPR, for the construction of the
18 proposed two-story, three-unit, residential condominium Project, to ensure the Project complies
19 with all required standards and City ordinances and to establish all onsite and offsite conditions
20 of approval necessary to address the site features and ensure compatibility of the proposed
21 Project with the development on adjoining properties and in the surrounding neighborhood, and

22 2. Tentative Parcel Map No 74145, P2016-0200-TPM, for the creation of a three
23 condominium airspace units subdivision, to ensure the subdivision complies with all required
24 standards, City ordinances and state law, and;
25
26
27
28
29

1 WHEREAS, pursuant to CEQA Section 15303, Class 3 – New Construction or
2 Conversion of Small Structures, and Section 15315, Class 15 – Minor Land Divisions, the
3 Project is Categorically Exempt; and

4 WHEREAS, on March 8, 2017, after conducting a duly noticed public hearing on the
5 subject application, including full consideration of the application, plans, staff report,
6 environmental information and all testimony presented, the Planning Commission (i) by a vote
7 of _ to _, adopted a Categorical Exemption, in accordance with the California Environmental
8 Quality Act (CEQA), finding the Project will not result in significant adverse environmental
9 impacts; (ii) by a vote of _ to _, conditionally approved Administrative Site Plan Review, P2016-
10 0200-ASPR; and Tentative Parcel Map, P2016-0200-TPM;

13 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
14 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

15 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City
16 Municipal Code (CCMC), the following findings are hereby made:

18 **Administrative Site Plan Review**

19 As outlined in CCMC Section 17.540.020, the following required findings for an Administrative
20 Site Plan Review are hereby made:

21 **A. The general layout of the project, including orientation and location of buildings,
22 open space, vehicular and pedestrian access and circulation, parking and loading
23 facilities, building setbacks and heights, and other improvements on the site, is
24 consistent with the purpose and intent of this Chapter, the requirements of the
25 zoning district in which the site is located, and with all applicable development
26 standards and design guidelines.**

27 The layout and design of the Project is consistent with the standards of development and
28 intent of the Residential Medium Density Multiple Family (RMD) zoning district. The Project
29 is proposing three units consistent with the density allowed in the RMD zone. The Project
complies with all setback requirements, providing a 14'-8" front yard setback, 6-foot side
yard setback, and 10-foot rear yard setback. The Project is 28'-5" high and complies with
the maximum height of 30 feet in the RMD zone. The Project meets the minimum required

1 area of 900 square feet for a two-bedroom unit, and 1,100 square feet for a three-bedroom
2 unit. The front unit has a 123-square-foot balcony facing the street. The middle unit has 2
3 small balconies facing each side yard for a total of 129 square feet. The rear unit has a
4 private rear yard on the ground for a total of 406 square feet. The front yard also meets the
5 55% landscape requirement. No common open space is required per Zoning Code.

6 The Project will have adequate vehicular and pedestrian access, and the configuration of
7 the proposed onsite driveway, vehicle maneuvering areas, and pedestrian access are
8 designed in accordance with all applicable CCMC standards. There are no other applicable
9 design guidelines. The conditions of approval will further ensure all CCMC requirements
10 are met.

11 **B. The architectural design of the structures and the materials and colors are
12 compatible with the scale and character of surrounding development and other
13 improvements on the site and are consistent with the purpose and intent of this
14 Chapter, the requirements of the zoning district in which the site is located, and with
15 all applicable development standards and design guidelines.**

16 The architectural design of the building is contemporary with a flat roof and ground floor
17 entrances. The ground floor entrances face the street and the northeast property line. The
18 roof lines vary and are well articulated and finished with brushed metal. The design is
19 consistent in color and incorporating architectural elements on all four sides of the project.
20 The windows are also consistently shaped and arranged to give additional rhythm to the
21 building.

22 The color and materials used on the building is smooth stucco and white to match many of
23 the homes on Sawtelle Boulevard. The project also incorporates use of wood panels to
24 soften the modernism. The garage is hidden from plain view and the scale of the building
25 is reduced. The three unit condominium development is consistent with the transitional
26 nature of the residential neighborhood by incorporating good site planning and design into
27 a small multi-family project.

28 **C. The landscaping, including the location, type, size, color, texture, and coverage of
29 plant materials, provisions for irrigation, and protection of landscape elements has
30 been designed to create visual relief, complement structures, and provide an
31 attractive environment and is consistent with the purpose and intent of this Chapter,
32 the requirements of the zoning district in which the site is located, and with all
33 applicable development standards and design guidelines.**

34 The Project proposes various improvements to the site including new landscaping. As
35 required by the CCMC, the applicant must landscape all front, side, and rear yards not
36 devoted to paved driveways, walkways, or patios. The front yard is landscaped with a
37 mixture of drought-tolerant plants and lawn. A 36-inch box size Mediterranean Palm is
38 located in the front yard. In the southern side yard, the project is set back by an additional
39 1 to 2 feet in order to fit a taller-growing 'green mountain' shrub to help provide privacy for
40 the abutting property. In the rear, a Podocarpus shrub species (Yew Pine) will provide an

1 8 to 10-foot hedge to help provide privacy with the property abutting to the rear. Complete
2 landscape and irrigation plans indicating planting sizes, spacing, and quantities shall be
3 submitted for review and approval by all applicable divisions/departments prior to
4 installation and final inspection to ensure this meets all Zoning Code requirements and
5 provides a visual relief that also complements the building's colors and materials.

6 **D. The design and layout of the proposed project will not interfere with the use and
7 enjoyment of neighboring existing or future development, will not result in vehicular
8 or pedestrian hazards, and will be in the best interest of the public health, safety, and
9 general welfare.**

10 The project has been designed to the allowable RMD development standards while at the
11 same time attempting to be compatible to the existing development patterns of the block.
12 The block of Sawtelle Boulevard where the Project is located is currently built with a mix of
13 single-story single family homes and two-story 2-5 unit apartment buildings majority of
14 single-family residences. The average lot coverage on the block is 45% ranging from a
15 minimum of 33% to a maximum lot coverage of 56%; the project proposes 56% lot
16 coverage. The project proposed at 28' high is within the height requirement of the RMD
17 zone and compatible with the other two-story structures on the block.

18 The Project will not produce any vehicular or pedestrian hazards because it provides
19 adequate onsite circulation and parking in compliance with all Zoning Code Requirements.
20 There are no off-site circulation hazards because the Project access point is designed in
21 the same manner as similar developments seen in the surrounding neighborhood.

22 The use and enjoyment of neighboring development is not negatively impacted or interfered
23 with, as the building is designed in a manner that is sensitive to maintaining the privacy and
24 character of the surrounding neighborhood. The conditions of approval and compliance
25 with all CCMC requirements will ensure that the proposed Project will not be a detriment to
26 the public interest, health, safety, or general welfare, or injurious to persons, property, or
27 improvements in the vicinity and zoning district in which the property is located.
28 Furthermore, by providing additional housing in the neighborhood, the Project will serve the
29 public interest and welfare.

30 **E. The existing or proposed public facilities necessary to accommodate the proposed
31 project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks,
32 storm drains, street lights, traffic control devices, and the width and pavement of
33 adjoining streets and alleys) will be available to serve the subject site.**

34 The site is located in an existing urbanized neighborhood, and is currently developed with
35 a single family dwelling and detached garage. Therefore, public facilities to the site currently
36 exist. It is not anticipated that the proposed Project and resulting additional two (2) units
37 will require new public facilities. If any upgrades to the existing facilities are required, these
38 will be provided. Improvements to the abutting right-of-way, such as new curb and gutter
39 and street repaving, will be implemented per the conditions of approval. Furthermore, the
40 existing and proposed public service facilities necessary to accommodate the Project such

1 as: the width and pavement of the adjoining streets, traffic control devices, sewers, storm
2 drains, sidewalks, street lights, proposed street trees, fire protection devices, and public
3 utilities are provided for adequately as confirmed by the City Departments that reviewed the
4 Project during the interdepartmental review process.

5 **F. The proposed project is consistent with the General Plan and any applicable specific
6 plan.**

7 The proposed construction of three new detached residential dwellings will result in two net
8 new units at a density consistent with the General Plan's Medium Density Multiple Family
9 Land Use designation. The Project is also consistent with the goals of the General Plan,
10 specifically, Objective 2, which calls for the retention and creation of housing throughout the
11 City and the encouragement of multiple-family housing opportunities within neighborhoods
12 designated for this development type. Based on review of the Project plans, the proposed
13 residential development is not anticipated to result in any significant impacts on surrounding
14 uses or to be inconsistent with the goals of the General Plan. Furthermore, the addition of
15 two net units will count toward meeting the Regional Housing Needs Assessment (RHNA)
16 allocation for Culver City and will be consistent with the goals and objectives of the Housing
17 Element specifically, Objective 2, which calls for opportunities for developing a variety of
18 housing types while protecting the character and stability of existing Culver City
19 neighborhoods. There is no applicable Specific Plan for this area.

20 **Tentative Parcel Map**

21 As outlined in CCMC Section 15.10.630, the following required findings for a Tentative Parcel
22 Map are hereby made:

23 **A. The proposed division will not be materially detrimental to the public welfare nor
24 injurious to the property or improvements in the immediate vicinity.**

25 Per Section 17.210.020 – Table 2-4, Residential District Development Standards (RLD,
26 RMD, RHD), the RMD Zone permits up to three units to be developed on the subject
27 property, based on the allowance of one unit per 1,500 square feet of net lot area.
28 Accordingly, the subdivision component of the Project will not increase the number of units
29 allowed on the site, or cause any physical changes to surrounding lots of similar zoning and
density potential and, therefore, is not expected to have any detrimental impacts to the
public welfare or to property or improvements in the vicinity. The dwelling units will comply
with all applicable provisions of the Zoning Code and is permitted in the RMD Zone.

**B. The proposed division will not be contrary to any official plan adopted by the Council
of the City of Culver City or to any policies or standards adopted by the Commission
or the Council and on file in the office of the City Clerk at or prior to the time of filing
of the application hereunder.**

1 The proposed subdivision is in compliance with the policies and standards of the City
2 including the City's General Plan. The Public Works Department has also reviewed the
3 tentative parcel map and determined it will not be contrary to any adopted public
4 improvement plans. There is no overlay or Specific Plan designated for this area, and the
5 proposed subdivision will not conflict with other adopted plans.

6 **C. Each proposed lot conforms in area and dimension to the provisions of the Zoning
7 Code requirements, as set forth in Title 17 of this Code.**

8 The General Plan Land Use Element designates the site as Medium Density Multiple
9 Family, which corresponds to the RMD Zone, and per the Land Use Element is intended to
10 allow multiple family dwellings, and encourage future developments of quality medium
11 density housing on individual development parcels of up to 13,000 square feet. Per CCMC
12 Section 17.210.020, the RMD Zone requires a minimum lot area of 5,000 square feet or the
13 average area of residential lots within a 500-foot radius of proposed subdivision, whichever
14 is greater. This section further notes condominium, townhome, or planned development
15 projects may be subdivided with smaller parcel sizes for ownership purposes, with the
16 minimum lot area determined through the subdivision review process, provided that the
17 overall development site complies with the minimum lot size requirements of the Zoning
18 Code. The subject site is consistent with the typical parcel size in the surrounding area and
19 will not be modified as a result of the proposed map. Therefore, the proposed map is
20 consistent with the applicable general plan, and there is no applicable specific plan.

21 **D. Each lot in the proposed division will front on a dedicated street or have a vehicular
22 access to a dedicated street approved by the City.**

23 The proposed development has vehicular access by means of a driveway apron on Sawtelle
24 Boulevard to the subterranean garage. Each of the condominium units is dedicated two
25 private garage spaces in the subterranean garage. The Project site provides adequate
26 onsite circulation and parking, in compliance with the Zoning Code.

27 **E. Each lot in the proposed division is so designed and arranged that drainage to an
28 approved drainage facility is provided for each lot.**

29 Following review of the tentative parcel map by the Public Works Department, it has been
conditioned that the applicant submit a Site Improvement Plan which shall include detailed
on-site drainage and grading of the site indicated by topographical lines and spot elevations.
Said plan will be required to meet the requirements of this finding. The conditions of
approval will ensure the proposed Project will be in conformance with this required finding
prior to any final approval of the proposed division.

**F. The proposed division will not interfere with the widening, extension, or opening of
any street or Master Plan highway.**

Located within an existing urbanized residential neighborhood, the proposed subdivision is
provided access by means of the existing public right-of-way, Sawtelle Boulevard, to the

1 west. Further, there were no items of potential interference identified between the proposed
2 subdivision and any street or Master Plan highway.

3 **G. Lot lines are so designed that easements will be located in such positions as to be**
4 **suitable for the proposed use.**

5 The existing parcel is currently developed with a single family dwelling and has easements
6 located to provide various utilities to the site. The proposed subdivision will not encroach
7 into or interfere with these existing easements. Further, the site layout is designed such
8 that the proposed lots and associated dwelling units are located to allow access and open
9 space whereby future required easements may be adequately placed.

10 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
11 Commission of the City of Culver City, California, hereby (1) adopts a Categorical Exemption,
12 in accordance with the California Environmental Quality Act (CEQA), finding the Project will not
13 result in significant adverse environmental impacts; and (2) approves Administrative Site Plan
14 Review, P2016-0200-ASPR and Tentative Parcel Map, P2016-0200-TPM subject to the
15 conditions of approval set forth in Exhibit A attached hereto and incorporated herein by this
16 reference.

17 APPROVED and ADOPTED this 8th day of March, 2017.

18
19
20
21
22 _____
23 DAVID VONCANNON, CHAIRPERSON
24 PLANNING COMMISSION
25 CITY OF CULVER CITY, CALIFORNIA

26 Attested by:

27 _____
28 Thomas Gorham
29 Planning Manager

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------|--|--------------|----------|-------------------------|
| GENERAL | | | | |
| 1. | These Conditions of Approval are being imposed on the 3-unit condominium subdivision (the "Project"), for the property located at 4234 Sawtelle Blvd. (the "Property"). | All | Standard | |
| 2. | A copy of the Resolution approving the Project, and a copy of these Conditions of Approval, shall be printed on the plans submitted as part of any building permit application for the Project. | Planning | Standard | |
| 3. | All building permit applications for the Project shall include sufficient information and detail to clearly reflect compliance with all applicable requirements of the Culver City Municipal Code (the "CCMC") and with these Conditions of Approval. | Planning | Standard | |
| 4. | The land use permit to which these Conditions of Approval apply (the "Land Use Permit") shall expire three years from the date of final approval of said Land Use Permit, if the use has not been exercised. As provided in CCMC Section 17.595.030 – "Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit. | Planning | Standard | |
| 5. | The Tentative Map shall expire thirty-six (36) months after its approval or conditional approval by the Planning Commission. | Public Works | Special | |
| 6. | The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property Development and Use Standards". | Planning | Standard | |
| 7. | All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping". | Planning | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------|---|--------------|----------------|-------------------------|
| GENERAL | | | | |
| 8. | All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading". | Planning | Standard | |
| 9. | A minimum of one (1) bicycle parking space per unit shall be provided and continuously maintained within the Project. | Planning | Special | |
| 10. | The residential parking shall be constructed with the infrastructure necessary to allow for future installation of Electrical Vehicle (EV) charging stations should residents in the future request or need EV charging stations at their parking stalls. | Planning | Special | |
| 11. | All proposed equipment (i.e., gas meters, transformers, access ladders, fire standpipes, air conditioning units, vents, utility risers, downspouts, rain gutters, and similar equipment) shall be screened from public view in accordance with CCMC Section 17.300.035(C). The method of screening must be architecturally integrated with the building in terms of materials, color, shape and size. | Planning | Standard | |
| 12. | All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately. | All | Standard | |
| 13. | All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer. | Public Works | Standard | |
| 14. | Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans ("APWA Standards"). | Public Works | Standard | |
| 15. | Street trees shall be installed, to the satisfaction of the City Engineer, in conformity with the City's approved Street Tree Master Plan including tree | Public Works | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------|---|-------------------|----------------|-------------------------|
| GENERAL | | | | |
| | wells and irrigation. All new (and existing) street trees shall be supplied with irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All new (and existing) street trees, landscaping, and irrigation shall be indicated on the overall site landscaping/ irrigation plan. | | | |
| 16. | At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters, sidewalks, and street pavement resulting from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards. | Public Works | Standard | |
| 17. | Project shall provide adequate trash and recycling capacity and shall comply with Assembly Bill 939, 1826, and 341 waste diversion goals. | Public Works | Special | |
| 18. | All Project related solid and recyclable waste material handling shall be in accordance with CCMC Section 5.01.010 – “Solid Waste Management”, which outlines the Sanitation Division’s exclusive franchise for this service. | Public Works | Standard | |
| 19. | Project shall provide at a minimum one (1) bin for organic waste. | Public Works | Special | |
| 20. | All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable regulations and standards of the City’s Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit. | Building/ Fire | Standard | |
| 21. | Provide fire sprinklers per CA Fire and Building Code for new structures, meet minimum requirements for NFPA 13 compliant fire sprinkler system throughout the parking area and in the dwelling units. Contact CCFD for | Fire | Special | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------|---|-----------------------|----------|-------------------------|
| GENERAL | | | | |
| | location of the double detector check assembly (DDCA) and the Fire Department Connection (FDC). | | | |
| 22. | Provide a 2013 CA Fire Code required and NFPA 72 complaint fire alarm system to monitor fire sprinklers and fire department dispatch with audibles (min-horns) in each dwelling unit. | Fire | Special | |
| 23. | Provide an address viewable from the public way. | Fire | Special | |
| 24. | Provide a KNOX box with keys for all common doors and gates, and a key switch for electric gates and electric door strikes. | Fire | Special | |
| 25. | Provide smooth surface from street to units and parking area for use of Gurneys. | Fire | Special | |
| 26. | If not required in the Building Code, the Fire Department recommends that the lift be sized to hold a standard gurney based on exits and need for providing Fire Department emergency response and life safety assistance to the residents. | Fire | Special | |
| 27. | Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted. | Building/ Planning | Standard | |
| 28. | The Project shall comply with all applicable requirement of the Culver City Green Building Program as set forth in CCMC Section 15.02.1100, et.seq. | Building | Standard | |
| 29. | The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq. | Building | Standard | |
| 30. | Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC | Planning | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------|---|--------|----------------|-------------------------|
| GENERAL | | | | |
| | Section 17.595.035 – “Changes to an Approved Project”. | | | |
| 31. | <p>The following conditions are made per City’s landscape architect:</p> <p>Landscape: All landscape designs and installations must be compliant with updated AB 1881, and City standards, whichever is more stringent.</p> <p>A separate irrigation meter shall be installed.</p> <p>Irrigation controller (new and/or existing) shall be a weather station based et controller with rain shut off and rain delay, and rain sensor installed.</p> <p>Irrigation system shall be equipped with a master valve, flow sensor and pressure regulator to prevent water waste.</p> <p>Irrigation heads shall be equipped with low volume distribution type nozzles, including any existing nozzles shall be retrofitted.</p> <p>Control valves shall be equipped with a pressure regulator.</p> <p>Any median less than 10 feet wide shall use drip irrigation or bubblers. Overhead spray heads are no longer allowed.</p> <p>Mawa (maximum applied water allowance) and etwu (estimated total water use) calculations shall be calculated to determine the annual water usage.</p> <p>The requirements are specific for residential and commercial, based on the size of the property. Both these projects require compliance.</p> | Parks | Special | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------|--|--------|--------|-------------------------|
| GENERAL | | | | |
| | <p>All landscape drawings shall be performed by a licensed landscape architect, signed, stamped and dated.</p> <p>More information can be found at http://www.water.ca.gov/wateruseefficiency/landscape/</p> | | | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|--|-------------------------------|----------|-------------------------|
| PRIOR TO BUILDING PERMIT ISSUANCE | | | | |
| 32. | A covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, acknowledging and agreeing to comply with all terms and conditions established herein, shall be signed by the Property Owner and recorded in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Planning Division. | Planning/ City Attorney | Standard | |
| 33. | The Applicant and Property Owner shall indemnify and agree to defend (at the Applicant's and Property Owner's sole expense, with legal counsel approved by the City) and hold harmless the City, and its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all loss, damages, injuries, costs, expenses, liabilities, claims, demands, lawsuits, attorneys' fees and judgments, arising from or in any manner connected to any third party challenge to the City's approval of the Project. The obligations required by this Condition shall be set forth in a written instrument in form and substance acceptable to the City Attorney and signed by the Applicant and the Property Owner. | City Attorney | Standard | |
| 34. | A minimum of three sets of final landscaping and irrigation plans (separate from the plans submitted for the building permit) shall be submitted to the Planning Division for review and approval. All irrigation system shall include a timer and rain sensor. | Planning/ Parks & Rec. | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|--|---------------------------|----------|-------------------------|
| PRIOR TO BUILDING PERMIT ISSUANCE | | | | |
| 35. | A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official. Prior to commencement of work the construction contractor shall advise the Public Works Inspector and the Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors. | Building/ Public Works | Standard | |
| 36. | A Pedestrian Protection Plan shall be submitted to and approved by the Building Official. Such plan shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved by the Public Works Director. | Building/ Public Works | Standard | |
| 37. | Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work. | Building | Standard | |
| 38. | A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be | Planning/ Public Works | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|--|--------|--------|-------------------------|
| PRIOR TO BUILDING PERMIT ISSUANCE | | | | |
| | <p>submitted to the City Engineer and Planning Manager for review and approval prior to the issuance of any Project demolition, grading, or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer and Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following:</p> <ul style="list-style-type: none"> A. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. B. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties. C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan. D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas. E. The location and travel routes of off-site staging and parking locations. | | | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|---|-----------------------|----------|-------------------------|
| PRIOR TO BUILDING PERMIT ISSUANCE | | | | |
| 39. | Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials. | Building | Standard | |
| 40. | A vector/pest control abatement plan prepared by a pest control specialist licensed or certified by the State of California shall be submitted for review and approval by the Planning Manager and the Building Official. Said plan shall outline all steps to be taken prior to the commencement of any demolition or construction activity in order to ensure that any and all pests (including, but not limited to, rodents, bees, ants and mosquitoes) that may populate the Property do not relocate to or impact adjoining properties. | Building/ Planning | Standard | |
| 41. | Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all abutting property owners and occupants. Evidence of such notification shall be provided to the Building Division. The notice shall identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish). | Building | Standard | |
| 42. | The overall building permit application shall submit 5 sets architectural, 2 sets structural drawings and calculations, 2 sets geotechnical report, 2 sets energy forms, and 3 sets landscaping/irrigation drawings, and 2 sets | Building | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|---|--------------------------|----------------|-------------------------|
| PRIOR TO BUILDING PERMIT ISSUANCE | | | | |
| | mechanical, electrical, and plumbing permit applications. Additional plan check fee for a contract structural review of the building may be required. | | | |
| 43. | All garages shall be 1 hr. rated to all other areas. Each unit shall be 1 hr. rated to every other unit. Provide UL details for all floor, wall, ceiling, etc. 1 hr. ratings and all proposed rated penetration details. All paths of egress shall be min. 1 hr. rated. All doors as part of the path of egress of common areas shall swing in the direction of egress. | Building | Special | |
| 44. | Tempered or laminated glazing shall be specified at all hazardous locations | Building | Special | |
| 45. | The construction permit application review time shall be a minimum of 20 City working days and may be extended at the option of City staff. | Building | Special | |
| 46. | Provide a Culver City CalGreen checklist and a Culver City Green Building Program checklist on the construction permit drawings | Building | Special | |
| 47. | All trucks delivering or off-hauling materials to or from the job-site shall obtain Culver City haul route permits from the Engineering Division. | Building/ Engineering | Special | |
| 48. | A project kick-off meeting must be held prior to issuance of the overall building permit, the field superintendent shall attend. | Building | Special | |
| 49. | Remove all existing driveway approaches and construct new drive approach per the latest edition of the American Public Works Association (APWA) Standard Plans or City's Standard High Speed Approach and ADA compliant. This will require a separate permit through the Engineering Division. | Engineering | Special | |
| 50. | A new 5-foot wide concrete sidewalk shall be installed along the project's frontage starting at | Public Works | Special | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|--|--------------|----------------|-------------------------|
| PRIOR TO BUILDING PERMIT ISSUANCE | | | | |
| | the property line and extending towards the street 5 feet. | | | |
| 51. | The area between the street curb and front edge of the new sidewalk shall be developed as a planted parkway. Drought tolerant landscaping shall be planted within the parkway. The irrigation for this area shall be tied into the onsite landscape irrigation. The landscaping in the parkway area shall be maintained by the future HOA in perpetuity. | Public Works | Special | |
| 52. | Four (4) sets of Civil Plans (Site Improvement, Grading, and Horizontal Control Plans) prepared by a civil engineer registered in the State of California, shall be submitted to the Engineering Division for review, approval, and permitting. | Engineering | Standard | |
| 53. | Four (4) sets of Off-site Improvement Plans prepared by a civil engineer registered in the State of California shall be submitted to the Engineering Division for review, approval and permitting for all proposed improvements along the public right-of-way. Off-site Improvement Plans shall include all proposed improvements off-site, detailed off—site drainage system, all existing utilities and its point of connections, and proposed sewer and storm drain lines (if any). | Engineering | Standard | |
| 54. | Provide Geotechnical report and hydrologic study. | Engineering | Special | |
| 55. | Pay an initial plan check fee in the amount of \$750.00 upon submittal of the Civil Plans (Site Improvement/off-site improvement plans) plan review. Additional plan check and permit fees will be determined per the Engineering Division’s Schedule of fees and charges. | Engineering | Special | |
| 56. | Due to the increased density, this project is subject to the City’s Sewer Facility Charge. | Engineering | Special | |

EXHIBIT A
RESOLUTION NO. 2017-P004
P2016-0200-ASPR/P2016-0200-TPM
4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|--|--------|--------|-------------------------|
| PRIOR TO BUILDING PERMIT ISSUANCE | | | | |
| | This charge shall be paid prior to the issuance of any permit. | | | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------------------|---|-----------------------|----------------|-------------------------|
| DURING CONSTRUCTION | | | | |
| 57. | During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s), and the City, shall be posted on the Property in a location that is visible to the public. A 24 hour phone number shall be provided for the contractor. These names and telephone numbers shall also be made available to adjacent property owners and occupants to the satisfaction of the Planning Manager and Building Official. The sign shall also include the allowed hours of construction, a description of the project, and the minimum safety gear required for any person on site (e.g. closed toe shoes, long pants, a shirt with sleeves, a hard hat as necessary, gloves and hearing protection as necessary). | Building/ Planning | Standard | |
| 58. | A copy of the Local SWPPP, inspection logs, and training records shall also be kept on site and available for inspection at all times during construction. | Public Works | Special | |
| 59. | The Property shall be maintained daily so that it is free of trash and litter. | Building | Standard | |
| 60. | During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector and/or the Public Works Department inspector. | Building | Standard | |
| 61. | The Building Division may apply administrative assessments and/ or post general stop work notices for any violations of the Conditions of Approval for the Project, and any violations of the CCMC. | Building | Standard | |
| 62. | During all phases of construction, best efforts shall be used to ensure that all construction workers, contractors and others involved with the Project park on the Property or at designated | Building | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------------------|---|----------------------------------|----------|-------------------------|
| DURING CONSTRUCTION | | | | |
| | offsite locations approved by the City, and not in the surrounding neighborhood. | | | |
| 63. | When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall use noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Planning Manager. | Building/ Planning | Standard | |
| 64. | Prior to the commencement of any excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and the Planning Manager. | Building/ Planning/ Public Works | Standard | |
| 65. | Hours of construction shall be limited to the following: 8:00 AM to 6:00 PM Monday through Friday; 9:00 AM to 6:00 PM Saturday; and Construction is prohibited on Sunday and National holidays. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic periods. All construction workers shall be respectful of the surrounding neighborhood and keep non-construction related noise to a minimum prior to, during, and after permissible construction hours. All construction activity or any activity making any sound shall stop and start within the allowed construction hours. All concrete pours including any set-up or staging activities or any finishing activities shall start and stop within the allowed construction hours. No radios or music on site. The Culver City Building and Safety Division reserves the right to reduce the allowed construction hours. | Building/ Public Works | Standard | |
| 66. | All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Property Owner must obtain written permission from adjacent property owners for | Building/ Public Works | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------------------|---|-----------------------|----------|-------------------------|
| DURING CONSTRUCTION | | | | |
| | any construction staging occurring on adjacent property. Culver City Building Safety reserves the right to adjust allowed construction staging areas during the course of the project. | | | |
| 67. | <p>Compliance with the following noise standards shall be required with at all times:</p> <p>A. No construction equipment shall be operated without an exhaust muffler, and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment;</p> <p>B. All construction equipment shall be properly maintained to minimize noise emissions;</p> <p>C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors;</p> <p>D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as approved by the Planning Manager and the Building Official in order to comply with the City's Noise Regulations and Standards as set forth in CCMC Chapter 9.07; and</p> <p>E. Stationary source equipment (i.e., compressors) shall be located so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors.</p> | Building/ Planning | Standard | |
| 68. | In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other | Building/ Planning | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------------------|---|---------------------------|----------|-------------------------|
| DURING CONSTRUCTION | | | | |
| | violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such violations have been eliminated or corrected and that the Project will be able to proceed in full compliance with these Conditions of Approval and the CCMC. | | | |
| 69. | Flag persons with certified training shall be provided for work site traffic control to minimize impacts to traffic flow and to ensure the safe movement of vehicles into and out of the Property. | Building/ Public Works | Standard | |
| 70. | During construction, trucks and other vehicles in loading and unloading queues must be parked with their engines off to reduce vehicle emissions. Construction deliveries shall be phased and scheduled to avoid emissions peaks as determined by the Building Official and discontinued during second-stage smog alerts. | Building | Standard | |
| 71. | Construction vehicles shall not be permitted to stage or queue where they would interfere with vehicular and pedestrian traffic or block access to adjacent properties. Off-site staging shall be at locations approved by the City Engineer and shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or phone communication with on-site personnel who shall advise the drivers when to proceed from the staging location to the Property. Construction-related vehicles shall not be permitted to park on public streets. | Building/ Public Works | Standard | |
| 72. | The construction contractor shall advise the Public Works inspector of the construction schedule and shall meet with the inspector prior to commencement of work. | | | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|---|---------------------|----------|-------------------------|
| PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION | | | | |
| 73. | All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the project, in the CCMC, or in any applicable written comments as provided by City representatives on December 1, 2016 at the Project Review Committee meeting on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied. | All | Standard | |
| 74. | All requirements of the City's Residential Development Park Dedication and In Lieu Parkland Fees, as set forth in CCMC Section 15.06.300, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the in-lieu parkland fee, the same shall be paid prior to the issuance of a building permit. | Planning/ Parks | Standard | |
| 75. | All requirements of the City's Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the public art in-lieu fee, the same shall be paid prior to the issuance of a building permit. | Cultural Affairs | Standard | |
| 76. | All onsite and offsite improvements and all conditions of approval except those which are deferred pursuant to a bond or letter of credit as determined and approved by the Building Official, Fire Marshal, Planning Manager, and/or City Engineer shall be completed prior to issuance of any certificate of occupancy. Prior to issuance of any certificate of occupancy the following shall be provided to and approved by the City: A. Five full sets of as-built plans that shall include at a minimum the site plan, grading and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking | All | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|--|--------------|----------------|-------------------------|
| PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION | | | | |
| | <p>structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements; and</p> <p>B. One set of as-built plans as described above in a digital format compatible with the City's computer system.</p> | | | |
| 77. | <p>Prior to issuance of Certificate of Occupancy, the applicant shall submit a plan to the City Engineer regarding the repair or replacement of any damage to the public right-of-way that results from the construction of the proposed project. Such repair or replacement is to be completed to the satisfaction of the City Engineer. The applicant shall be responsible for all expenses.</p> | Public Works | Special | |
| 78. | <p>Applicant shall obtain a sewer easement for the City sewer main line in the back yard. Sewer easement shall extend 5 feet from the center line of the sewer main line.</p> | Public Works | Special | |
| 79. | <p>If required, an improvement bond and agreement shall be filed with the City prior to the recording of the final map for those improvements awaiting completion and approval by the City Engineer. The bond shall include, but not be limited to, labor and material and be based on estimated construction costs as provided by the City.</p> | Public Works | Special | |
| 80. | <p>The final map shall be prepared by a Land Surveyor or Civil Engineer licensed in the State of California, and shall comply with all requirements of the State of California Subdivision Map Act, as most recently amended.</p> | Public Works | Special | |
| 81. | <p>The final map shall be submitted to the Los Angeles County Department of Public Works for review and to certify that the map is technically correct. A copy of the first plan check package as submitted to Los Angeles County shall also be submitted concurrently to the Culver City Engineering Division for review along with the required Culver City fees.</p> | Public Works | Special | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|--|--|--------------|----------------|-------------------------|
| PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION | | | | |
| 82. | All required boundary monuments shall be installed prior to the recording of the final map. At a minimum, a spike and washer shall be set on the prolongation of the project's northerly boundary and the centerline of Sawtelle Boulevard. Each monument shall be tied to at least four (4) points, with lead and tags, and centerline tie notes filed with the Engineering Division. | Public Works | Special | |
| 83. | A preliminary title report and subdivision guarantee shall be submitted to the City showing all fee interest holders, all interest holders whose interest could ripen into a fee; all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant. | Public Works | Special | |
| 84. | The final map shall be recorded prior to the issuance of any Certificate of Occupancy for any residential air space unit. | Public Works | Special | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|-----------------|--|---|----------|-------------------------|
| ON-GOING | | | | |
| 85. | The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Land Use Permit as reviewed by the Planning Commission at its meeting on February 22, 2017 , excepted as modified by these Conditions of Approval. | Planning | Standard | |
| 86. | Pursuant to CCMC Section 17.650.020 - "Inspection", the Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the CCMC. | All | Standard | |
| 87. | The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, and regulations including, but not limited to, Building Division, Fire Department, Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance. | All | Standard | |
| 88. | All graffiti shall be removed from the Property within 48 hours of its application. | Building/ Planning/ Public Works | Standard | |

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| | | | | |
|------------|--|------------------|----------|--|
| 89. | <p>The Project shall comply will all requirements set forth in CCMC Subchapter 9.11.200, et seq., relating to the regulation of smoking in multi-unit housing, including, but not limited to, the following:</p> <ul style="list-style-type: none"> A. All dwelling units of a multi-unit residential property (containing two or more units) shall be designated nonsmoking units. B. Smoking in units, common areas and exclusive-use unenclosed areas shall be prohibited. C. Landlords and HOA Boards are required to provide in their leases and rules, respectively, the following terms related to nonsmoking: <ul style="list-style-type: none"> i. It is a material breach of the lease and a violation of the HOA rules (if applicable) to allow or engage in smoking in a unit; ii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to engage in smoking in any common area, except in an outdoor designated smoking area, if one has been lawfully established and approved by the City; iii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to violate any of the smoking laws while anywhere on the property; and iv. Other occupants of the property are express third-party beneficiaries of the provisions of the lease concerning smoking (for leases only). <p>Smoking includes the smoking of tobacco, marijuana or any other weed or plant, but excludes e-cigarettes, incense and wood burning.</p> <p>The foregoing is not an exclusive list of requirements and the Project is subject to each and every provision set forth in CCMC Subchapter 9.11.200, et seq.</p> | City Attorney | Standard | |
|------------|--|------------------|----------|--|

EXHIBIT A
 RESOLUTION NO. 2017-P004
 P2016-0200-ASPR/P2016-0200-TPM
 4234 Sawtelle Blvd.

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|-----------------|--|--------------|----------|-------------------------|
| ON-GOING | | | | |
| 90. | The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense. | Public Works | Standard | |