

RESOLUTION NO. 2019-P002

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, (1) APPROVING TENTATIVE PARCEL MAP, P2018-0279-TPM AND ADMINISTRATIVE MODIFICATION P2018-0279-AM; AND (2) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN EXCEPTION TO CULVER CITY MUNICIPAL CODE (CCMC) CHAPTER 15.10: SUBDIVISIONS; TO ALLOW THE CONSTRUCTION AND CREATION OF TWO ATTACHED TOWNHOME STYLE RESIDENTIAL UNITS ON TWO LOTS AT 4116 HIGUERA STREET IN THE LOW DENSITY TWO FAMILY (R2) ZONE.

(TENTATIVE PARCEL MAP, P2018-0279-TPM, ADMINISTRATIVE MODIFICATION, P2018-0279-AM)

WHEREAS on November 15, 2018, F Bar and A Kendall 1997 Revocable Trust and Nicolas Kendall-Bar (the "Applicant") filed an application for Tentative Parcel Map and Administrative Modification to construct a two-story, two-unit, townhome-style residential project by creating two (2) attached townhome style dwelling units on two new lots within one existing residential lot at 4116 Higuera Street (the "Project"). The Project site is legally described as Lot 102 of Tract No. 4161 in the City of Culver City, County of Los Angeles, State of California; and,

WHEREAS, in order to implement the proposed project, approval of the following applications and other actions is required:

1. Tentative Parcel Map P2018-0279-TPM: To ensure the subdivision complies with all required standards, City ordinances and state law; to ensure lot sizes are compatible with existing lot sizes in the immediate neighborhood; to provide necessary street dedication and improvements; and to prevent interference with the opening or extension of streets for emergency vehicular access, proper traffic circulation, drainage and the future development of adjacent properties, and

- 1 2. Administrative Modification P2018-0279-TPM: To ensure the strict application of
2 Municipal Code standards creates an unnecessary, involuntarily created
3 hardship or unreasonable regulation which makes it impractical to require
4 compliance with the development standards.
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6 3. Subdivision Design Standard Exception: To ensure the project meets the
7 criteria, set forth in Culver City Municipal Code (CCMC) Section 15.10.085 for
8 approving an exception to certain subdivision requirements;

9 WHEREAS, the Project qualifies for a categorical Exemption, pursuant to CEQA
10 Section 15303, Class 15 – Minor Land Divisions

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12 WHEREAS on January 23, 2018, after conducting a duly noticed public hearing on
13 the subject application, including full consideration of the application, plans, staff report,
14 environmental information and all testimony presented, the Planning Commission (i) by a vote
15 of ___ to ___ , adopted a Categorical Exemption, in accordance with the California Environmental
16 Quality Act (CEQA), finding the Project will not result in significant adverse environmental
17 impacts; (ii) by a vote of ___ to ___ , conditionally approved Tentative Parcel Map P2018-0279-
18 TPM (subject to City Council approval of an exception to certain required subdivision design
19 standards) and Administrative Modification P2018-0279-AM, as set forth herein below; and (iii)
20 by a vote of ___ to ___ , recommended to the City Council approval, pursuant to CCMC Section
21 15.10.085, of an exception to a subdivision design standard requiring lot frontage along a
22 dedicated public street or access to same via a certain sized “stem” of a “flag lot” (CCMC
23 15.10.700.C), as set forth hererin below..
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26 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
27 CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:
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1 **SECTION 1.** Pursuant to the foregoing recitations and the provisions of the CCMC,
2 the following required findings are hereby made:

3 **Tentative Parcel Map**

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

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

8 The proposed division will create two small lots for two attached townhome style dwelling
9 units within one land lot allowing separate ownership opportunities of the units. Per
10 Section 17.210.020 – Table 2-3, Residential District Development Standards (R1, R2,
11 R3), the R2 Zone permits up to two units to be developed on the subject property.
12 Accordingly, the subdivision component of the Project will not increase the number of
13 units allowed on the site, or cause any physical changes to the surrounding lots of similar
14 zoning and density potential and, therefore, is not expected to have any detrimental
15 impacts to the public welfare or to property or improvements in the vicinity. The dwelling
16 units will comply with all applicable provisions of the Zoning Code and is permitted in
17 the R2 Zone.

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

22 The proposed subdivision is in compliance with the policies and standards of the City
23 including the City's General Plan. The Public Works Department has also reviewed the
24 the following required findings are hereby made:

1 Tentative Parcel Map and determined it will not be contrary to any adopted public
2 improvement plans. There is no overlay or Specific Plan designated for this area, and
3 the proposed subdivision will not conflict with other adopted plans.

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

6 CCMC Section 17.210.020 requires minimum lot dimensions of fifty (50) feet in width
7 and 100 feet in depth, and a minimum lot area of 5,000 square feet or the average area
8 of residential lots within a 500-foot radius of the proposed subdivision, whichever is
9 greater, and further notes condominium, townhome, or planned development projects
10 may be subdivided with smaller parcel sizes for ownership purposes, with a minimum
11 lot area determined through the subdivision review process, provided that the overall
12 development site complies with the minimum lot size requirements of this chapter. The
13 Project Site measures 45 feet in width by 120.82 feet in depth for a total of 5,436 square
14 feet, which is slightly smaller than other lots in the neighborhood. Within this standard
15 lot, two smaller parcels will be created for two townhome style units, which is permitted
16 as noted above. Thus, the project site conforms to the provisions of the Zoning Code.
17 In addition, review of the tentative parcel map by the Public Works Division has found
18 the map in substantial conformance with the City's requirements.

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

21 The proposed development has vehicular access by means of a driveway apron directly
22 adjacent to Higuera Street which is an existing public right-of-way abutting the southern
23 (front) property line. The individual lots, corresponding dwelling units, and assigned
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1 parking areas within the site, will be accessed by means of a sixteen (16) foot wide
2 driveway on the west side of the property with a property line down the center and
3 easements for access purposes . The project Site provides adequate on-site circulation
4 and parking, in compliance with the Zoning Code.

5 CCMC Section 17.10.700.C, requires that all lots front on a dedicated public street or
6 have access to the same via a private street or the “stem” of a “flag lot”. Flag lots shall
7 be allowed only when, in the opinion of the Planning Commission, there is no reasonable
8 alternative. The Project site is only 45 feet wide fronting Higuera Street and the Project’s
9 rear lot can only be accessed from said dedicated public street with a flag or stem. While
10 the applicant is proposing a stem lot, it is not reasonable nor physically possible to
11 require a 50 foot frontage for the rear lot nor a ten foot wide driveway for each unit. This
12 lot, as discussed above, will have access via easements for common use driveway and
13 pedestrian purposes. Further an exception to the minimum stem or flag width can
14 reasonably be granted and is discussed below in the Subdivision Design Standard
15 Exception finding.

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

21 Following review of the Tentative Parcel Map by the Public Works Department, it has
22 been conditioned that the applicant submit a Site Improvement Plan which shall include
23 detailed on-site drainage and grading of the site indicated by topographical lines and
24 spot elevations. Said plan will be required to meet the requirements of this finding.
25 Further, the proposed division is for townhome style lots within the project lot with
26 secured appropriate easements allowing drainage across the individual lots within the
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1 project lot and is designed such that the drainage is not impeded. The conditions of
2 approval will ensure the proposed project will be in conformance with this required
3 finding prior to any final approval of the proposed division.

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

6 Located within an existing urbanized residential neighborhood, the proposed division is
7 provided access by means of the existing public right-of-way, Higuera Street. Following
8 Public Works review of the Tentative Parcel Map, it was found that there is no
9 requirement to widen Higuera Street. Further, there were no items of potential
10 interference identified between the proposed division and any known street Master Plan
11 highway.
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14 **G. Lot lines are so designed that easements will be located in such positions as to**
15 **be suitable for the proposed use.**

16 The existing parcel is currently developed with a single family dwelling and has
17 easements located to provide various utilities to the site. The proposed subdivision will
18 not encroach into or interfere with these existing elements. Further, the site layout is
19 designed such that the proposed lots and associated dwelling units are located to allow
20 access and open space where future required easements may be adequately placed.
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23 **Administrative Modification**

24 As outlined in CCMC Section 17.550.020, the following required findings for an Administrative
25 Modification are hereby made:

26 **A. The strict application of the applicable development standard creates an**
27 **unnecessary, involuntarily created hardship or unreasonable regulation which**
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1 makes it obviously impractical to require compliance with the development
2 standards.

3 The 45 foot width of the lot restricts the ability to provide a typical side loaded garage
4 and meet all applicable standards for interior dimensions, setback, and turning radius.

5 The front loaded garage with reduced backup length and parking space length will
6 preserve landscaping in the front yard to reduce prevalence of parking along the public
7 right-of-way consistent with multi-family design guidelines.
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9 **B. Approval of the Administrative Modification would not be detrimental to the public**
10 **health, interest, safety, or general welfare and would not be detrimental or**
11 **injurious to property or improvements in the vicinity and in the same zoning**
12 **district.**

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14 The Administrative Modification will help to reduce prevalence of parking along the
15 public right-of-way. Four parking spaces will still be provided and only two uncovered
16 spaces will be reduced in length by ten percent. All parking spaces will still have
17 unimpeded access from the public right-of-way into the property.
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19 **C. The project is consistent with the General Plan and complies with all other**
20 **applicable provisions of this Title.**

21 The project is consistent with the General Plan and Zoning Code per all previous
22 evidence provided per the Resolution and as referenced by the Staff Report.
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24 **Subdivision Design Standard Exception**

25 As outlined in CCMC Section 15.10.085, the following findings for an exception to subdivision
26 requirements are hereby made:
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1 **A. The conditions affecting the property warrant and require that an exception be**
2 **made.**

3 The Zoning Code requires a minimum lot area of 5,000 square feet, or the average area
4 of residential lots within a 500-foot radius of a proposed subdivision, and further states
5 that condominium, townhome, or planned development projects may be subdivided with
6 smaller parcel sizes for ownership purposes, with the minimum lot area determined
7 through the subdivision review process. The overall project will maintain its current
8 5,436 square foot lot area. The overall 45 foot lot width will not change and the overall
9 120.82 foot lot width will not change. Through the subdivision processes, two small land
10 lots for townhome style development will be created within the existing conforming lot.

11 CCMC Section 15.10.700 sets forth general design standards governing the approval
12 of any subdivision map. Specifically, CCMC Section 15.10.700.C, requires that all lots
13 front on a dedicated public street or have access to the same via a private street or the
14 “stem” of a “flag lot”. Flag lots shall be allowed only when, in the opinion of the Planning
15 Commission, there is no reasonable alternative. The Project’s rear lot will have a stem
16 that touches the public right-of-way, but the project cannot accommodate the City
17 Subdivision standard minimum of a ten foot wide driveway per stem per CCMC Section
18 15.10.700.C. The project is providing a 16 foot wide driveway easement split between
19 both lots on which the dwellings will be located, similar to a standard condominium or
20 townhome development. The Project is consistent in design and function with
21 condominium and townhome developments. The key difference is that each resident
22 will own the dwelling as well as the land around it as opposed to each resident owning
23 the land around the dwellings in common. The 45 foot lot width does not allow for two
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1 ten foot wide stems because the driveway would be 20 feet diminishing the ability to
2 provide a viable living space.

3 For these reasons, the conditions affecting the property warrant and require that an
4 exception be made to the requirement for public street frontage and the minimum stem
5 size required for access to the public street via a flag lot.
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7 **B. The exception is not an exception to any requirement of the Subdivision Map Act.**

8 The exception does not violate the Subdivision Map Act because a 16 foot wide
9 easement for common driveway purposes is provided assuring the public right-of-way
10 access for both lots within the development.
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12 **C. The exception will not be materially detrimental to the public welfare nor injurious**
13 **to the property or improvements in the immediate vicinity.**

14 All required subdivision findings can be made for the Project and all required vehicular,
15 pedestrian, and utility/drainage easements will be made a part of the final map assuring
16 both lots have required access to public rights-of-way. The exception will not be
17 materially detrimental to the public welfare nor injurious to the property or improvements
18 in the immediate vicinity.
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20 **SECTION 2.** Pursuant to the foregoing recitation and findings, the Planning
21 Commission of the City of Culver City, California, hereby (i) adopts a Categorical
22 Exemption in accordance with the California Environmental Quality Act (CEQA), finding
23 the Project will not result in significant adverse environmental impacts; (ii) approves
24 Tentative Parcel Map, P2018-0279-TPM (subject to City Council's approval of an
25 exception to certain required subdivision design standards) and Administrative
26 Modification P2018-0279-AM; and (iii) recommends to the City Council approval of an
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1 exception to a subdivision design standard requiring lot frontage along a dedicated
2 public street or access to the same via a certain sized "stem" of a "flag lot" (CCMC
3 Section 15.10.700.C), subject to the conditions of approval set forth in Exhibit A
4 attached hereto and incorporated herein by this reference.

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6 APPROVED and ADOPTED this 23rd day of January, 2019.

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EDWARD OGOSTA- CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

11 Attested by:

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SUSAN HERBERTSON, SENIOR PLANNER

EXHIBIT A
RESOLUTION NO. 2019-P002
Case No P2018-0279-TPM
4116 Higuera Street

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on a two-unit townhome style airspace condominium subdivision (the "Project"), for the property located at 4116 Higuera Street (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 one year 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.	Pursuant to CCMC Section 17.630.010.C.4 – "Posted Notice", the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.	Planning	Standard	
6.	The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property Development and Use Standards".	Planning	Standard	

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GENERAL				
7.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping".	Planning	Standard	
8.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading".	Planning	Standard	
9.	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	
10.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - "Signs". All signs require a separate permit and approval.	Planning	Standard	
11.	Each dwelling unit shall be equipped with a seismic shutoff valve at all gas connections.	Planning	Special	
12.	Each dwelling unit shall be equipped with its own individual gas, water, and electrical meter.	Planning	Special	
13.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
14.	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. Applicant shall close driveway and replace with sidewalk, curb, and gutter as applicable.	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 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	Public Works	Standard	

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GENERAL				
	shall be indicated on the overall site landscaping/ irrigation plan.			
16.	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	
17.	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	
18.	The applicant shall provide each unit with three trash carts: Organic, Refuse, and Recycle. Refuse and organic carts shall be approximately 64 gallons with dimensions of 24 inch width, 32 inch depth and 42 inch height. Recycle cart shall be approximately 96 gallons with dimension of 26 inches wide, 34.5 inches deep, and 46 inches high.	Public Works	Standard	
19.	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	
20.	The Project shall provide adequate trash and recycling storage capacity to comply with Assembly Bill 939, 1826, and 341 waste diversion goals.	Public Works	Standard	
21.	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	Building/ Fire	Standard	

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GENERAL				
	Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit.			
22.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building/ Planning	Standard	
23.	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	
24.	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	
25.	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 Section 17.595.035 – “Changes to an Approved Project”.	Planning	Standard	
26.	Common use easements (or general common access easement agreements) shall be secured to ensure all parcels or lots within the Project have necessary vehicular, pedestrian, and utility drainage, and sewage access to public rights of way and City and utility main lines.	Planning	Special	
27.	Fire sprinklers are required per CCMC 9.02 and the 2016 CA Fire Code Chapter 9.	Fire	Special	
28.	The Project shall comply with 2016 California Fire Code and 2016 NFPA Standard 13D.	Fire	Special	
29.	Water meter and main line service to the building shall meet the minimum requirement of one (1) inch to ensure the hydraulic calculations for the fire sprinkler system.	Fire	Special	
30.	The applicant shall provide an address viewable and legible from the public way. Size and font	Fire	Special	

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GENERAL				
	shall meet Fire and Building Code requirements.			
31.	The applicant shall provide a smooth surface from streets to units and parking area for use of gurneys.	Fire	Special	
32.	The final map shall be prepared by a surveyor or civil engineer licensed and authorized to do such work by the State of California.	Public Works	Special	
33.	The final map shall conform to the conditionally approved tentative map approved by the Planning Commission on January 23, 2018.	Public Works	Special	
34.	The tentative map shall expire thirty-six (36) months after its approval or by conditional approval by the Planning Commission.	Public Works	Special	
35.	Durable monuments shall be set at all perimeter boundary corners. At least two monuments shall be set on the prolongation of the property's northerly and southerly boundary with the centerline of Higuera Street. All required boundary monuments shall be installed prior to the recording of the final map. Centerline monuments shall be installed prior to the recording of the final map. Centerline monuments 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	
36.	Secure bicycle parking shall be provided to accommodate a minimum of four (4) bicycles, to meet the bicycle parking requirements for the project. The bicycle parking shall be provided as follows: Four (4) long-term parking spaces (2 space per unit). The bicycle parking shall meet all appropriate standards per Culver City Public Works Division.	Public Works	Special	
37.	Prior to issuance of any Public Works Department/Engineering Division Permit for the Project, the developer shall obtain a	Public Works	Special	

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GENERAL				
	determination from the Public Works Department Administration staff that the final bicycle parking layout is in compliance with bicycle parking requirements.			
38.	Prior to issuance of any Public Works Department/Engineering Division Permit for off-site improvements, the developer shall submit, for review and approval of the City Engineer or his designee, a bicycle handling plan for the work zone in the public right-of-way and detailing the type and content of bicycle related construction warning signage and location. The bicycle handling plan may be incorporated into a traffic handling plan submitted for the same work zone.	Public Works	Special	
39.	The applicant shall ensure each garage is minimum one (1) hour rated to any living area or adjacent garage. The applicant shall ensure each residential unit is minimum one (1) hour rated, and minimum STC 50 rated to any other adjacent residential unit.	Building	Special	
40.	The applicant shall ensure all exterior walls and exterior finishes be non-combustible construction or fire-retardant treated and the roof be minimum class A. Vinyl exterior windows are not recommended for fire resistance.	Building	Special	
41.	The applicant shall specify all tempered or laminated glazing at all hazardous locations.	Building	Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
42.	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	
43.	The Applicant and Property Owner shall indemnify, hold harmless and defend (at the Applicant's and Property Owner's sole cost and expense, with legal counsel selected by the City in its sole discretion) the City, its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, lawsuits, judgments, liability, injury or damage arising from or in any manner connected to any and all permits or approvals relating to the Project, including without limitation associated and reasonably incurred attorneys' fees and court and litigation costs arising out of the defense of any such claims and/or lawsuits, and actual attorneys' fees and court and litigation costs that may be awarded by the court and required to be paid by the City. 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 Property Owner.	City Attorney	Standard	
44.	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.	Planning/ Parks & Rec.	Standard	

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PRIOR TO BUILDING PERMIT ISSUANCE				
45.	Payment of New Development Impact Fees pursuant to CCMC Section 15.06.005 et. seq. shall be submitted.	Planning/ Building	Standard	
46.	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	
47.	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	
48.	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	
49.	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	

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	<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> <p>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.</p> <p>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.</p> <p>C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan.</p> <p>D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas.</p> <p>E. The location and travel routes of off-site staging and parking locations.</p>			
50.	Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to	Building	Standard	

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PRIOR TO BUILDING PERMIT ISSUANCE				
	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.			
51.	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	
52.	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	
53.	The Construction kick-off review of the project conditions of approval meeting shall be held in City Hall prior to issuance of the overall building permit and the project superintendent shall attend that meeting.	Building	Special	
54.	The applicant shall provide a title search to Building Safety to indicate any easements.	Building	Special	

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55.	The applicant shall provide Building Safety Division with a careful, detailed photo documentation of neighboring properties prior to the start of major construction activities.	Building Safety	Special	
56.	All trucks delivering or off-hauling materials to or from the job-site shall obtain a Culver City haul route permit as applicable. A copy of the approved haul route permit shall be kept in every vehicle traveling to the construction site including supplier and delivery vehicles.	Building Safety/ Public Works	Special	
57.	The applicant shall provide a geotechnical report from a State licensed geotechnical engineer, as part of the Site Improvement Plan, reporting on the suitability of the on-site soils to support the proposed construction	Public Works	Special	
58.	Three (3) sets of off-site improvement plans prepared by a civil engineer registered in the State of California shall be submitted to Engineering Division for review, approval, and permitting for all proposed improvements within the public right-of-way. Separate plans shall be submitted for street improvements, street light improvements, traffic signal, signage and striping, and sewer improvements. Landscape and irrigation for the public parkway area and raised medians shall be included in the street improvement plans.	Public Works	Special	
59.	Applicant shall pay an initial plan check fee in the amount of \$750.00 each upon submittal of the On-Site Improvement and Off-Site Improvement plans for review. Additional plan check and permit fees will be determined per the Engineering Division's Schedule of Fees and Charges.	Public Works	Special	
60.	Applicant shall be subject to the City's Sewer Facility Charge due to the change of use and increased density.	Public Works	Special	

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61.	The Applicant shall obtain the approval of the City's Environmental Programs and Operations Manager for the size, location, and type of equipment needed for the adequate storage and disposal of all solid and recyclable waste generated by the project.	Public Works	Special	

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DURING CONSTRUCTION				
62.	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. 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.	Building/ Planning	Standard	
63.	The Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
64.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	
65.	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. Any type of damage to any adjacent property or any part of the City right-of-way will result in a general stop work order.	Building	Standard	
66.	During all phases of construction, all construction workers, contractors and others involved with the Project shall park on the Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.	Building	Standard	
67.	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	

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68.	Prior to the commencement of any excavation or construction, 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	
69.	Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday; 9:00 AM to 7:00 PM Saturday; and 10:00 AM to 7:00 PM 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 concrete pours, worker staging, or any on-site activity shall start and end within the allowed construction hours. No on-site staging activity or any activity of any kind is allowed outside of the allowed construction hours. The applicant shall not allow music on-site.	Building/ Public Works	Standard	
70.	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 and appropriate City Departments for any construction staging occurring on adjacent property. The Building and Safety Division reserves the right to adjust allowed construction staging areas during the course of the project.	Building/ Public Works	Standard	
71.	Compliance with the following noise standards shall be required with at all times: 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;	Building/ Planning	Standard	

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	<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>			
72.	In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other 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.	Building/ Planning	Standard	
73.	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	

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74.	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	
75.	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	
76.	During construction the contractor shall keep posted a large construction sign, information on the signs to include the contractor's 24 hour phone number, the contractors name and address, the allowed construction hours, the minimum safety gear to be worn by all personnel on site; closed toe shoes, long pants, a shirt with sleeves, a hard hat, and a safety vest.	Building Safety	Standard	
77.	The applicant shall provide for construction worker and construction vehicle parking in areas that are acceptable to the Community Development Department. All materials storage and staging areas shall not be stored, and all construction workers, construction vehicles, and delivery trucks shall not be parked, on any neighboring property, nor shall they park in front or behind of any neighboring property without Culver City Public Works/Engineering approval.	Building/ Public Works	Standard	

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78.	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 13, 2018 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	
79.	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	
80.	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	
81.	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	All	Standard	

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	and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements; and B. One set of as-built plans as described above in a digital format compatible with the City's computer system.			
82.	As the project nears completion no partial or grand openings shall be permitted without applying for and gaining approval of a temporary certificate of occupancy. No partial or full openings or advertisements of any openings shall be allowed without City approval.	Building Safety	Special	
83.	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.	Public Works	Special	
84.	All required bicycle parking shall be installed, maintained, and managed by the developer or their successors and approved by the Public Works Director or their designee.	Public Works	Special	

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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 January 23, 2019 , 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.	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: A. All dwelling units of a multi-unit residential	City Attorney	Special	

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	<p>property (containing two or more units) shall be designated nonsmoking units.</p> <p>B. Smoking in units, common areas and exclusive-use unenclosed areas shall be prohibited.</p> <p>C. Landlords and HOA Boards are required to provide in their leases and rules, respectively, the following terms related to nonsmoking:</p> <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>			
89.	All graffiti shall be removed from the Property within 48 hours of its application.	Building/ Planning/ Public Works	Standard	

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90.	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	
91.	All mitigation measures set forth in any environmental document relating to the Project (including any reports of the type contemplated by the California Environmental Quality Act) shall be completed as specified therein.	Planning	Standard	
92.	All public improvements, as required by the approved entitlement, shall be completed and approved prior to the final approval of the final parcel map. Otherwise, an agreement and adequate security shall be posted by the subdivider and accepted by the City, to satisfactorily complete said improvements. The agreement and security shall conform to Section 66462 and 66499 of the State Subdivision Map Act.	Public Works	Special	
93.	The final map shall be submitted to the Los Angeles County Department of Public Works for review, approval, and recordation. After approval of the technical aspect of the map by Los Angeles County, and prior to recordation, the final map shall be approved by the City Engineer. 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.	Public Works	Special	
94.	This project shall be developed as it was presented and approved by the Planning Commission.	Planning	Special	
95.	The project density shall be maintained at two total dwelling units. No additional dwelling units per lot shall be permitted.	Planning	Special	