

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting of March 27, 2025)

Pursuant to Sections 12.24 and 12.28 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Operational Conditions

1. Hours of Operation Shall Observe the Following Limitations, unless otherwise permitted elsewhere in the conditions.
 - a. For daytime classroom instruction: 6:30 a.m. to 6:00 p.m., Monday through Friday. Evening classes, occurring no more than four times weekly is to conclude by 10:00 p.m. Saturday classroom instruction is limited to the hours of 8:00 a.m. to 6:00 p.m. No classroom instruction is permitted on Sunday.
 - b. For gymnasium use: 6:30 a.m. to 10:00 p.m., Monday through Friday; 8:30 a.m. to 10:00 p.m. on Saturday; and 8:30 a.m. to 8:00 p.m. on Sunday. No Saturday game or practice session shall begin prior to 8:30 a.m. No congregating on the school site for the purpose of these activities shall occur prior to 8:30 a.m. on Saturdays and Sundays. An instructor or school staff member shall be present at the subject site at least one half hour prior to the designated start times to monitor student activities/arrivals to assure that noise impacts on the adjacent neighbors are minimized.
 - c. For Athletic Field/Stadium use: Main Campus: Shall have hours of 7:00 a.m. to 10:00 p.m., Monday through Friday; Saturday use is limited to 8:00 a.m. to 9 p.m., and; 9:00 a.m. to 8:00 p.m. on Sunday. No more than 15 Sundays per year will be allowed. North Campus: Shall have the same hours as the Main Campus, except the end time shall be 9:00 p.m. (instead of 10:00 p.m.) on Monday through Friday, with an exception for overtime/extra inning play. Both Campuses: Athletic use is not permitted on national holidays. No congregating on the site for the purpose of these activities shall occur before the permitted hours. An instructor/school staff member shall be present at the subject site at least one-half hour prior to the designated start times to monitor student activities/arrivals to assure that noise impacts on the adjacent neighbors are minimized.
 - d. For Aquatic Complex/Pool use: Shall have hours of 8:00 a.m. to 8:00 p.m., Monday through Friday. Saturday use is limited to 10:00 a.m. to 7:00 p.m. Athletic use is not permitted on Sundays or national holidays.
 - e. Batting Cages. The batting cages shall be restricted to the sole use of Chaminade students and staff. Main Campus: Shall be limited to 8:00 a.m. to 8:00 p.m., Monday through Saturday. North Campus: Shall be limited to 9:00 a.m. to 7:00 p.m., Monday through Saturday. Both Campuses: No use of the batting cages is permitted on Sundays and national holidays.
 - f. Teacher preparations, normal school maintenance, parent conferences with teachers, school board meetings and similar customary school activities cumulatively limited to 451 vehicles on the property at one time, consistent with the minimum parking required per the Conditional Use under Case No. CPC-2009-1477-CU-ZV-ZAA-SPR, or cumulatively limited to 501 vehicles on the property at one time upon full buildout of

the Project approved pursuant to this subject case and Case No. CPC-2023-1254-VZC-HD-ZAD-ZAA, may extend beyond the hours set forth above.

- g. Motorized sweeping of the parking lots and driveways and motorized landscape maintenance shall occur only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday.

2. Parking.

- a. At least 451 permanent, striped parking spaces shall be provided on the site at all times consistent with the Conditional Use under Case No. CPC-2009-1477-CU-ZV-ZAA-SPR. Upon full buildout of the Project approved pursuant to this subject case and Case No. CPC-2009-1477-CU-ZV-ZAA-SPR-PA1, at least 501 permanent, striped parking spaces shall be provided on-site between the Main Campus and North Campus, consistent with Exhibit "A".
- b. The school shall inform parents, students, faculty and staff in writing on an annual basis of all rules regulating school traffic and parking. A copy shall be mailed to the City Planning Department at the same time. The school shall maintain a progressive disciplinary system of enforcement of the involved student(s) from school. The school administration shall maintain a list of license plate numbers of all staff and students permitted to park on campus and shall issue a parking tag to all families to be used when parents visit the school site.
- c. Except during special events, all faculty, administrators, other employees and visitors shall be instructed by persons acting on behalf of the school to park on-site at designated locations.
- d. Special Event Parking
 - i. If a special event at the property is expected to attract more than 451 vehicles, or more than 501 vehicles after full buildout of the Project approved pursuant to this subject case and Case No. CPC-2009-1477-CU-ZV-ZAA-SPR-PA1, then off-site parking for vehicles in excess of the 451st vehicle (or in excess of the 501st vehicle after full Project buildout) shall be provided at the West Hills Hospital (located at 7300 Medical Center Drive) and/or other locations which the school may secure, to the satisfaction of the City Planning Department. Those persons attending the event shall be instructed to park in such off-site parking locations (unless playing field parking is allowed on the campus). Note: In the event that the school secures another off-site parking facility in lieu of the existing site, the applicant must notify the City Planning Department, the West Hills Neighborhood Council, the Council Office, and residents within a 500-foot radius, in writing at least 90 days in advance.
 - ii. A free shuttle bus system shall be used between the off-site parking area(s) and the subject property. Shuttle vehicles shall be of a number and carrying capacity to facilitate the transport of persons to and from the property expeditiously. The use of temporary signage will be used to inform parents, students and visitors to park within the designated off-site area(s) and to use the shuttle system. Note: Text-only temporary signs are permitted for use during the day of the special event, and will be posted and removed at least one half hour prior to the event and removed one half hour after the conclusion of the event.

- e. Construction Parking. In the event that construction staging takes place within the parking areas, and if at least 20 spaces are encumbered for construction purposes, Chaminade shall provide an equal number of temporary off-site parking spaces at a secondary site. Off-site parking will not be permitted along adjacent streets. If the secondary site is not immediately adjacent to the campus, a shuttle shall be provided to transport students, staff, and visitors to and from the school.
 - f. For all games, competitions and swim meets on the North Campus:
 - i. All Chaminade students, faculty and staff shall be directed to park on the Main Campus.
 - ii. In advance of each game day, written notice shall be provided to all visiting teams to indicate that vehicles must park on campus (either on the North Campus or across the street on the Main Campus), and that street parking on Keswick Street and other residential streets is not permitted.
3. Traffic Management Program. The school shall implement the updated Traffic Management Program, dated May 4, 2023, to encourage carpooling amongst parents and students, bicycling, the use of school buses, and the use of public transit to reduce vehicular trips to school, and to improve the efficiency of the drop-off and pick-up operations and help minimize any disruptions to non-school traffic flow in the vicinity of the school. A copy of the updated Traffic Management Program shall be provided to the Department of City Planning and the Council Office prior to the issuance of a new certificate of occupancy. A copy shall also be available on-site in the Facilities Office, posted online, sent by email, or regular mail to staff, students, and parents. Components of such efforts shall include:
- a. Appointing adult traffic monitors for the program, distribution of literature explaining the program, and maintaining a system to encourage and enable parents to form and participate in carpools.
 - b. For each day that school is in session and for special events, parking monitors shall be required to be posted at each vehicular access driveway in order to direct traffic and minimize queuing of school visitor, student, and staff vehicles on adjacent residential streets, from blocking the public rights-of-way, private driveways, or otherwise adversely affecting traffic circulation for residents. Likewise they will discourage excessive noise from car horns, car radios, car alarms and loud voices, and to maintain smooth ingress to and egress from the parking areas.
 - c. Traffic monitors shall be at the school for: (1) 30 minutes prior to the start of school through such time at which the gates are to be closed or have a security guard stationed at the gates; (2) One-half hour prior to the end of school through such time at which the primary gates are to be closed or guarded, and; (3) One hour prior to the beginning of special events through such time at which the primary gates to the campus are to be closed or guarded.
 - d. Once parking has reached capacity, traffic monitors shall direct traffic away from residential streets, and utilize cones and temporary signage wherever necessary, to re-direct traffic, discourage spillover traffic and parking on adjacent residential streets, and to direct drivers to the secondary parking area (West Hills Hospital), where the free shuttle will transport visitors back to the school. Note: In the event that the school secures another off-site parking facility in lieu of the existing site, the applicant must notify the City Planning Department, the West Hills Neighborhood Council, the Council Office, and residents within a 500-foot radius, in writing at least 90 days in advance.

- e. Provide a safe and secure area for bicycle parking.
 - f. There shall be no school drop-off or pick-up on the North Campus.
4. The property shall be internally secured when not in use.
- a. All driveway gates shall be closed 15 minutes after the morning bell rings and opened 15 minutes before the dismissal bell rings.
 - b. A security guard or school employee shall be posted at or near the Saticoy Street driveways to monitor student arrival and departure during regular school days when the North Campus gate(s) are open, to ensure use of the pedestrian bridge and control street-level crossing.
 - c. There shall be a 24/7 security camera monitoring and burglar alarm system.
5. Main Campus: The athletic field lights shall be turned off no later than 11:00 p.m. on contest nights, and no later than 9:00 p.m. on practice nights. North Campus: The athletic facility lights shall be turned off no later than 9:00 p.m. on practice and contest nights, with an exception for overtime/extra inning play. Both Campuses: On nights when the field is not in use, only low-level security lighting shall be permitted.
6. Noise mitigation:
- a. An outdoor public address system shall be utilized for emergency purposes, special announcements, and sporting events only. The use of the outdoor public address system shall not be used after 6:00 p.m., unless to notify students, staff, and visitors of emergency purposes, or during sporting events occurring after 6:00 p.m.
 - b. The existing solid masonry walls at the adjoining property lines, where the school abuts a residence, shall be maintained at the site.
 - c. Except where designated elsewhere in this determination (special events, marching band practice, etc.), amplified music or loud non-amplified music is not permitted outside.
 - d. The gymnasium shall contain no operable windows. No doors shall be oriented to the adjacent residences, unless where required by law.
 - e. Compressors and other equipment which may introduce noise impacts beyond any property line shall be enclosed or otherwise attenuated so as to be inaudible off-site.
 - f. No exterior bells are permitted outside the hours of daytime classroom instruction detailed under Condition No. 6(a). No exterior bells are permitted on Saturdays or Sundays.
 - g. Noise levels including, but not limited to, activities such as the use of outdoor public address system or speakers and announcements during sporting events, use of batting cages, and other activities will be subject to the local noise ordinance. All amplified noise must comply with LAMC Section 112.01.
 - h. Batting cages on the North Campus shall incorporate noise baffling measures.

7. Use Restrictions.

- a. Rental or lease of the batting cage facilities or athletic fields located on the school campus is not permitted for any purpose, except as permitted under Condition 5.e. Rental or lease of other on-site facilities is limited to activities solely to the general educational purpose of the institution. [The term "rental of the facilities" is not dependent upon the payment of a fee].
- b. Parking on-site shall not be utilized for events or uses occurring at off-site locations, unless the off-site event occurs on a weekend, in the summer, and does not coincide with a Special Event at the school.
- c. Filming exclusively for commercial purposes and without active student participation, shall be prohibited on the property. All filming shall be limited between the hours of 8:00 a.m. to 8 p.m., Monday through Friday. The use of artificial light is prohibited.
- d. No incidental gaming activities as defined in Section 12.21-A,13, shall be permitted on the site.
- e. North Campus Only: The rental or lease of the athletic and parking facilities, and associated structures, for non-Chaminade activities are restricted to the following:

Athletic Fields. Use by community-based organizations shall be limited to 36 days per year, Monday through Saturday, from 8 a.m. to 6 p.m. Use is not permitted on Sundays and national holidays. The rental or lease of the batting cages is not permitted at any time.

Aquatic Complex/Pool. Use by community-based organizations, which shall travel to and from the North Campus by bus, shall be limited to daylight hours only, and to end no later than 7:00 p.m., Monday through Friday, and no later than 5:00 p.m. on Saturdays, with no use of outdoor lighting other than low-level security lighting. For community member swim activities, use hours shall be limited to Monday-Saturday, 8:00 a.m. to 6:00 p.m. Use is not permitted on Sundays and national holidays. A lifeguard must be on duty any time the pool is in use.

For purposes of the above conditions, "community-based organization" shall mean any educational or athletic institution, group or league. "Daylight hours" shall mean hours illuminated by the natural light of day, or from dawn to dusk, year-round, but further limited by the times noted herein.

8. **Plan Approval.** Any deviations from the terms of these conditions or changes to the site plan for the school will require the property owner to file a Plan Approval application and payment of associated fees together with mailing labels for all property owners and tenants within 300 feet of the property. The matter shall be set for public hearing with appropriate notice. The purpose of the Plan Approval shall be to review the effectiveness of, and the level of compliance with, the terms and conditions of this grant, including the effectiveness of the carpool program, the management of circulation impacts of parking associated with special events and any documented noise impacts from parking operations and athletic activities on the surrounding residential properties. Upon review of the effectiveness of and compliance with the conditions, the Director of Planning shall issue a determination. Such determination may modify the existing terms and conditions, add new terms and conditions or delete one or more of them, all as deemed appropriate. The City Planning Commission may also require one or more subsequent Plan Approval applications, if deemed necessary.

Development Conditions

9. The total development of the new structures shall be limited to the following approximate maximum floor areas as also noted in Exhibit "A":

On the North Campus:

Pool House: 6,094 square feet

Concessions, Restrooms and Storage: 1,540 square feet

Locker Room (west of new athletic field) 380 square feet

Locker Room (south of new athletic field) 380 square feet

Press Box: 100 square feet

Pedestrian Bridge connecting the Main and North Campuses: 2,650 square feet, also subject to Revocable Permit approval

10. **Building Façade/Materials.** A variety of high-quality exterior building materials, in substantial conformance to the approved Exhibit "A" plans, shall be used. Substitutes of an equal quality shall be permitted, to the satisfaction of the Department of City Planning.

11. **Height of New Buildings and Structures.**

- a. The new Multistory Building located on the Main Campus shall be permitted a maximum building height of 48 feet.
 - b. The pedestrian bridge connecting the Main Campus to the North Campus and associated bridge structures shall be permitted a maximum height of 45 feet on the North Campus, subject to Revocable Permit approval.
 - c. The pedestrian bridge shall have a minimum clearance above Saticoy Street consistent with the requirement imposed in the revocable permit, subject to LADOT standards for vehicular clearance and pedestrian safety.
 - d. The light standards for the stadium/field lighting around the athletic field shall not exceed 90 feet. The eight (8) light standards will range in height from 70 to 90 feet, with the 70-foot standards located along the northern and eastern perimeter of the field, and the taller 80- and 90-foot standards positioned along the southern and eastern perimeter of the field along Saticoy Street and adjacent to the western parking lot.
 - e. The light standards for the lighting around the swimming pool shall not exceed 40 feet along the eastern perimeter of the pool along Woodlake Avenue, and shall not exceed 50 feet along the western perimeter of the pool.
 - f. The netting, poles and backstop for the athletic field shall be permitted a maximum height of 40 feet.
 - g. The parking lot lights shall be permitted a maximum height of 22 feet in the eastern parking lot and 25 feet in the western parking lot.
 - h. The scoreboard shall be permitted a maximum height of 26 feet.
12. **Perimeter/Security Fences and Gates.** On the Main Campus, existing (to remain) and new perimeter fences and vehicular gates shall be permitted a maximum height of 8 feet within the front yards (along Cohasset Street and Keswick Street) on the Main Campus. On the North Campus, the perimeter fences and vehicular gates shall be permitted a maximum height of 10 feet.

13. Setbacks on Main Campus.

- a. The proposed pedestrian bridge and associated support structures shall be permitted to encroach into the required front and side yard setbacks in the RS and A1 Zones on the west side of Saticoy Street.
- b. Reduced setbacks shall be permitted along Cohasset Street (front yard) and along the eastern property lines (side yards) for the existing encroaching structures (bleachers and buildings) to remain in the A1 Zone as depicted in the plans in Exhibit "A."

14. Setbacks on North Campus. No setbacks are required on the North Campus, except as prescribed below.

- a. No new buildings or structures may be located within 15 feet of the northern property line, except for the following as shown on the plans (Exhibit "A"):
 - i. 10-foot-tall perimeter fence, with a minimum setback of approximately 1-foot, 4 inches;
 - ii. 40-foot-tall poles and netting, with a minimum setback of approximately 2 feet, 10 inches;
 - iii. 22-foot-tall to 25-foot-tall parking lot lights, with minimum setbacks of approximately 3 feet, 4 inches and 6 feet-6 inches, respectively;
 - iv. A 26-foot-tall score board, with a minimum setback of approximately 6 feet, 8 inches;
 - v. 70-foot-tall stadium lights, with a minimum setback of 8 feet, 4 inches; and
 - vi. 8-foot-tall bull pen, with a minimum setback of 10 feet.
- b. Along the Woodlake Avenue frontage, pool lights shall be set back a minimum of 12 inches from the property line.

15. Sustainability

- a. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of the LAMC.
- b. **Solar Energy Infrastructure.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

16. Signage. New on-site signs shall comply with the Municipal Code. Signage entitlements have not been granted as a part of this approval.**Voluntary Conditions**

- 17. On the North Campus, the Applicant shall plant trees on-site as close to the northern property line as possible, without impacting or displacing proposed project structures, buildings and athletic and parking facilities, to provide screening/infill for the abutting residential homes to the north. Where on-site tree planting is not possible, the Applicant shall contact the

homeowners of the northern abutting properties to offer to provide trees for homeowners to plant on their properties for the purpose of screening as needed.

18. On the North Campus along the easterly side of the proposed pool along the Woodlake Avenue frontage, the Applicant shall plant on-site trees, only to the extent possible or feasible without impacting the proposed location and size of the pool and without obstructing pedestrian pathways and creating pool operational and maintenance issues, to provide screening for the residential homes to the east across Woodlake Avenue.
19. Should noise or facility use concerns arise in the immediate community related to the construction and operation of the proposed facilities on the North Campus, as relayed to the Applicant by the West Hills Neighborhood Council, the Applicant shall attend a public meeting with the West Hills Neighborhood Council Zoning & Planning Committee to address those concerns and provide an update.

Environmental Conditions

20. **Department of Toxic Substances Control.** Property owners shall satisfy any requirements from either the Los Angeles County Fire Department Site Mitigation Unit or the State Department of Toxic Substances Control (DTSC) in relation to potential contamination on the subject site. Prior to the issuance of any clearances by the Department of City Planning (DCP), property owners shall provide to DCP written confirmation from either the County Fire Department or DTSC that establishes the agency's satisfaction that the subject site currently meets the agency's requirements for the proposed use or, alternatively, that establishes the agency's satisfaction with the property owner's contamination testing plan for the proposed use.

Air Quality

21. **MM-AQ-1:** All off-road diesel-powered construction equipment shall meet, at a minimum, USEPA Tier 4 Interim off-road emissions standards, or if such equipment is not commercially available for lease or short-term rental within 50 miles of the Project Site, USEPA Tier 3 off-road emissions standards.

Geology and Soils

22. **MM-GEO-1:** The Project Applicant shall implement the following best practices with respect to paleontology:
 - a. **Retain a Qualified Professional Paleontologist:** The Project Applicant shall retain a Qualified Professional Paleontologist (Project Paleontologist), who meets or exceeds the SVP standards, to oversee all regulatory compliance measures and protocols related to paleontological resources.
 - b. **Conduct Worker Training:** The Project Paleontologist should develop a Worker Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for preserving fossil resources, as well as the procedures to follow in the event of a fossil discovery. This training program would be given to the crew before ground-disturbing work commences and would include handouts to be given to new workers as needed.
 - c. **Monitor for Paleontological Resources:** Ground disturbances greater than or equal to 3 feet below ground surface with the potential to impact late to middle Pleistocene old alluvial fan deposits (Qof) and/or late Miocene Modelo Formation (Tm) should be

monitored full-time. Monitoring should be reduced or ceased once over-excavations into the underlying previously undisturbed deposits have been completed, or if Recent to late Holocene artificial fill (Qaf) is the only geologic units encountered during earthwork activities. Ground disturbances in previously disturbed sediments should not be monitored, regardless of depth.

Monitoring should be conducted by a paleontological monitor who meets the standards of the SVP (2010) working under the supervision of the Project Paleontologist. The Project Paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. In consultation with the lead agency and the Project Applicant, monitoring efforts can be increased, reduced, or ceased entirely if determined adequate by the Project Paleontologist. Paleontological monitoring should include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor should have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, should the fossils be determined significant, professionally and efficiently recover the fossil specimens and collect associated data. Paleontological monitors should record pertinent geologic data and collect appropriate sediment samples from any fossil localities.

- d. **Prepare a Paleontological Resources Monitoring Report:** Upon conclusion of ground-disturbing activities, the Project Paleontologist overseeing paleontological monitoring should prepare a final Paleontological Resources Monitoring Report (PRMR) that documents the paleontological monitoring efforts for the Project and describes any paleontological resources discoveries observed and/or recorded during the life of the Project. If paleontological resources are curated, the final PRMR and any associated data pertinent to the curated specimen(s) should be submitted to the designated repository. A copy of the final PRMR should be filed with the lead agency.

Hazards and Hazardous Materials

23. **MM-HAZ-1:** Prior to the issuance of a grading permit, the shallow PCE-impacted soil vapor shall be remediated using soil vapor extraction (SVE) as the primary means of remediation. An SVE remediation system shall be installed consisting of 17 vapor extraction wells. Each vapor extraction well would have a 10-foot screened interval, from five to 15 feet below ground surface, and the wells would be connected to the SVE unit via sub-grade PVC-piping. The soil vapor shall be remediated to the satisfaction of the Los Angeles Fire Department and the Department of Building and Safety.

Noise

24. **MM-NOI-1:** For construction activities occurring on the North Campus, sound barriers rated to achieve a sound attenuation of at least 15 dBA shall be erected to shield 23309 Satcoy Street Residences, Melba Street Cul-de-Sac Residences, and Bobbyboyar Avenue Cul-de-Sac Residences from on-site construction noise activities. Sound barriers shall be at least 15 feet in height and composed of materials rated to achieve a transmission loss of at least 25 dBA, which would correlate with the required 15 dBA of sound attenuation.
25. **MM-NOI-2:** For construction activities occurring on the Main Campus, sound barriers rated to achieve a sound attenuation of at least 15 dBA shall be erected to shield Atron Avenue Cul-de-Sac Residences, Covello Street Cul-de-Sac Residences, and Chaminade Avenue Residences from on-site construction noise activities. Sound barriers shall be at least 15 feet in height and composed of materials rated to achieve a transmission loss of at least 25 dBA, which would correlate with the required 15 dBA of sound attenuation.

26. **MM-NOI-3:** Amplified sound systems for the Project's baseball field/bleachers and outdoor aquatics facility/bleachers shall be acoustically engineered with the following design and performance standards:

- a. Amplified sound levels, as measured at the northern property line of the North Campus, shall not exceed 50 dBA.
- b. Amplified sound systems shall not be operated outside the operational hours established for the North Campus facilities.
- c. Speakers shall be directional and oriented away from the northern property line of the North Campus.
- d. Non-Chaminade users of the facilities shall not be permitted to utilize the facilities' amplified sound systems.

Transportation

27. **MM-TRANS-1:** Prior to the start of construction, a Construction Traffic Management Plan (CTMP) shall be submitted to LADOT for review and approval. The CTMP will include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicycles, and pedestrians. The CTMP will include, but not limited to, the following measures:

- a. Maintaining access for land uses in the vicinity of the Project Site during construction.
- b. Schedule construction materials deliveries during off-peak periods to the extent practical.
- c. Organize deliveries and staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to surrounding roadways.
- d. Coordinate deliveries to ensure trucks do not wait to unload or load and impact surrounding roadways, and if needed, utilize an off-site staging area.
- e. Control truck and vehicle access to the Project Site with flagmen.
- f. Limit lane closures to the maximum extent possible and avoid peak period hours to the extent possible. Where such closures are necessary, the Worksite Traffic Control Plan will identify the location of lane closures and identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity.
- g. Parking for construction workers will be provided either on-site or at off-site, off-street locations.

28. **PDF-TRANS-1:** The Project will adhere to the construction sequence shown in Table 3-2, except:

- a. Construction of the new surface parking lot on the North Campus and construction of the pedestrian bridge may interchange in the overall sequence of construction activities, but shall not overlap with each other; and

- b. Demolition of parking lots on the Main Campus and demolition of classroom buildings on the Main Campus may interchange in the overall sequence of construction activities, but shall not overlap with each other.
29. **PDF-TRANS-2:** The Project will prepare a Traffic Management Plan (TMP) to establish operational procedures for traffic flow around the school related to self-driving students and student drop-off and pick-up operations. The purpose of the plan will be to establish operational procedures to improve traffic circulation utilizing the enhanced access points and parking areas, improve student safety, maximize the efficiency of drop-off and pick-up operations, and reduce delays during those time periods.

Tribal Cultural Resources

30. **MM-TCR-1:** Prior to commencing any ground disturbance activities at the Project Site, the Applicant, or its successor, shall retain one (1) tribal monitor that is qualified to identify subsurface tribal cultural resources. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the Project Site. The qualified tribal monitor shall be approved by the Fernandeno Tataviam Band of Mission Indians.

If cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be retained by the Applicant, or its successor, to assess the find. A qualified archaeologist/archaeological monitor shall be identified as principal personnel who must meet the Secretary of the Interior's Standards and Guidelines for Archeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California. The archaeologist shall ensure that all other personnel associated with and hired for the archaeological monitoring are appropriately trained and qualified. Work on the portions of the Project outside of the buffered area may continue during this assessment period. The Fernandeno Tataviam Band of Mission Indians shall be contacted about any pre-contact and/or post-contact finds and be provided information after the archaeologist makes their initial assessment of the nature of the find, to provide Tribal input with regards to significance and treatment.

31. **MM-TCR-2:** The Lead Agency and/or Applicant shall, in good faith, consult with the Fernandeno Tataviam Band of Mission Indians on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.
32. **MM-TCR-3:** If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the Project.

Administrative Conditions

33. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
34. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed

on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

35. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
36. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
37. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
38. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
39. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
40. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
41. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
42. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
43. **Indemnification and Reimbursement of Litigation Costs**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and

approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include

actions, as defined herein, alleging failure to comply with any federal, state or local law.

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