

ORDINANCE NO. 183741

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications of properties shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

Section __. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of JUN 24 2015.

Holly L. Wolcott, City Clerk

By



Deputy

Approved

6/25/15



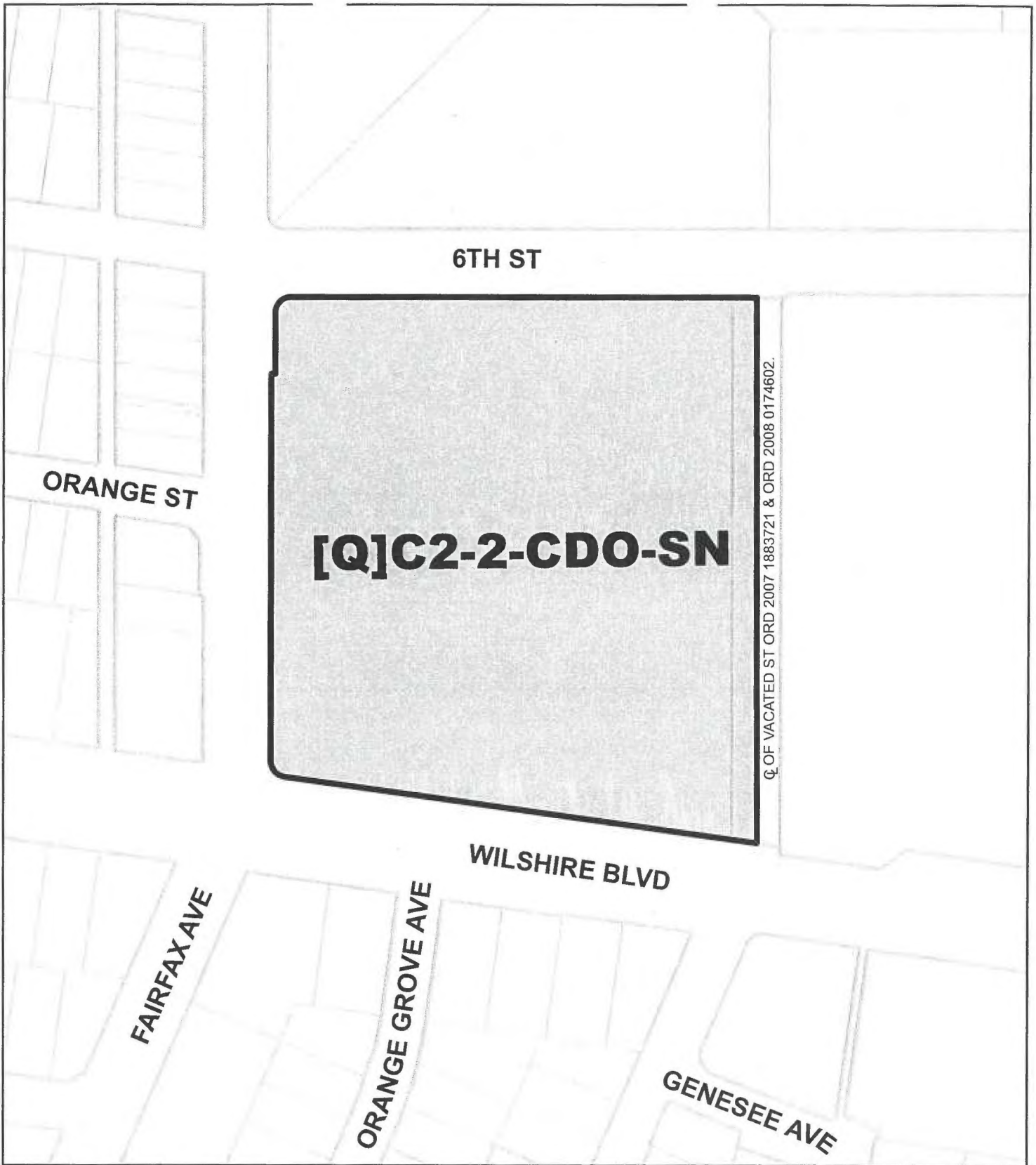
Mayor

Pursuant to Section 558 of the City Charter, the City Planning Commission on May 14, 2015 recommended this ordinance be adopted by the City Council.


James K. Williams, Commission Executive Assistant II
City Planning Commission

File No.

15-0721



6TH ST

ORANGE ST

[Q]C2-2-CDO-SN

Q OF VACATED ST ORD 2007 1883721 & ORD 2008 0174602.

WILSHIRE BLVD

FAIRFAX AVE

ORANGE GROVE AVE

GENESEE AVE



200 100 0 200 Feet



C.M. 135 B 177	CPC 2014-3119 ZC SN CDO MCUP ZV ZA ZAI SPR
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041515



AREA
MAPPED

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Entitlement Conditions

1. **Project.** Prior to the issuance of any building permits for the subject project, detailed development plans, including a complete landscape and irrigation plan shall be submitted for review and approval by the Department of City Planning – Development Services Center for verification of compliance with the imposed conditions. The plan shall be in substantial conformance with the plot plan labeled as Exhibit "A", except as modified by this action, and attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Permitted Uses.** Uses shall be limited to museum and museum-related uses, including permanent and changing exhibition space, theatres, banquet and conference space, café, museum store, administrative offices, educational, exhibit preparation, conservation laboratory, storage, maintenance and receiving areas, and related special events. Uses not otherwise specified shall be limited to those permitted in the underlying C2 Zone.
3. **Height.** The height of structures on the project site, as measured from grade, shall not exceed the following:
 - a. New Wing. Shall not exceed a height of 130 feet.
 - b. Original Building. Shall not exceed a height of 87 feet to the roof parapet, 94 feet to the fifth level, 111 feet to the mechanical room atop the fifth level, and 117 feet to the ventilation stack along Fairfax Avenue.
4. **Floor Area.** Pursuant to Municipal Code Section 12.21.1-A, the total floor area within the project site shall not exceed 208,000 square feet.
5. **Parking.** The project shall provide a total of 482 vehicular parking spaces, including 378 parking spaces within the LACMA Pritzker Garage and 104 offsite parking spaces within the Spaulding Lot located south of Wilshire Boulevard.
6. **Bicycle Parking.** The project shall provide 88 parking spaces as shown on Exhibit "A":
 - a. Short-term bicycle parking: 36 spaces shall be located adjacent to the Piazza and 38 spaces shall be located along 6th Street; and,
 - b. Long-term bicycle parking: 14 spaces and associated amenities, including the required showers and lockers shall be provided within the basement of the Original Building.
7. **Signage.** The signs within the project site shall be subject to the provisions of the Academy Museum Sign District Ordinance, marked "Exhibit B".
8. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys, and/or other public rights-of-way shall not be used for the parking or loading or unloading of vehicles.
9. **Maintenance.** The project site including sidewalks, Piazza, outdoor areas, and landscaping shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the Project Site.

ADMINISTRATIVE CONDITIONS OF APPROVAL

10. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review 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.
11. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
12. **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 assigns. The agreement shall be submitted to the Department of City Planning's Development Services Center 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.
13. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
14. **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.
15. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
16. **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 of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
17. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Fire Department, or other City Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
18. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the

City.

19. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein (Mitigation Monitoring Program – MMP), as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.

Project Design Features & Mitigation Monitoring

PDF-LIGHT-1 - Operational Lighting: The following operational lighting features shall be incorporated into the Project:

- **Luminance Restriction:** An area-weighted average of luminance measurements on the Original Building and New Wing facades would not exceed 10 candelas per square meter (cd/m²).
- **Illuminance Restriction:** Illuminance from specified light sources would not exceed 21.5 lux (2.0 footcandles) at the property line of the nearest sensitive receptor.
- **Façade Luminaire Restrictions:** Luminaires illuminating the building façade, with intensities greater than 10,000 candela would be shielded from view beyond the Project Site boundary.
- **Exterior Luminaire Restrictions:** Luminaires not illuminating the building façade, with intensities greater than 10,000 candela, would be shielded or rated as cut-off per the IESNA.
- **Piazza Lighting Limitation:** Permanently installed architectural lighting shall be designed to not exceed 10 footcandles (average, horizontal maintained at the ground) under the Piazza and other outdoor plaza areas within the Project Site.
- **Event Luminaire Restrictions:** Luminaires installed for special event lighting on a temporary basis on the Project Site must be aimed or shielded such that the direct beam illuminance is directed at the activity or object within the Project boundary that requires illumination.
- **Restrictions for Drivers' Visibility:** Luminaires would be shielded, reduced in intensity, or otherwise protected from view such that the brightness of a light source within 10 degrees from a driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except when minimum values are less than 10 fL. If minimum values are below 10 fL, the source brightness would not exceed 500 fL plus 100 times the angle, in degrees, between the driver's line of sight and the light source.
- **Interior Luminare Restrictions:** Interior lighting would be designed, specified, and installed so that the maximum candela direct beam illuminance (from luminaires) would not be directed out of the building envelope. In doing so, the interior spill light from the Project is assumed to be negligible beyond the confines of the Project Site.

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once at plan check; once at field inspection prior to issuance of Certificate of Occupancy

Action Indicating Compliance: Approval of Lighting Plans prior to issuance of Building Permit (Pre-construction); Written compliance certification from approved lighting consultant/expert prior to issuance of Certificate of Occupancy (Construction)

PDF-LIGHT-2, Special Event Lighting: HDTV broadcasts of events are assumed to be the brightest foreseeable condition within the Project. Other less brightly-lit events may occur on a periodic basis within the Sphere's View Deck or elsewhere on the Project Site. Special event lighting for productions and other events, including but not limited to traveling shows, concerts, and performances, represents a wide variety of temporary installations of lighting equipment. Although the possible events, and the design of the type, intensity, aiming, and distribution of associated temporary lights, are not specifically known, the following Project Design Features are intended to limit the potential for glare or spill light at the identified receptors:

- Luminaires installed for special event lighting on a temporary basis on the Project Site must be aimed or shielded such that the direct beam illuminance is directed at the activity or object within the Project boundary that requires illumination.
- Aiming of luminaires would be regulated to prevent the high intensity beam from striking any Project or adjacent building facades. Specifically, special event search lights would not project light more than 25 degrees from zenith, and hand held video and press event lighting platforms shall have their lighting directed inward toward the Project Site and not out to the Project boundary.

Enforcement Agency: Los Angeles Department of City Planning;
Los Angeles Department of Public Works

Monitoring Agency: Los Angeles Department of City Planning;
Los Angeles Department of Public Works

Monitoring Phase: Operation

Monitoring Frequency: Annually

Action Indicating Compliance: Annual compliance certification report from approved lighting consultant/expert

PDF-LIGHT-3, Illuminated Signage: The following illuminated signage design standards, which also represent impact thresholds pursuant to CEQA, and include an illumination testing and compliance protocol, would be implemented to limit spill light and glare at sensitive and vehicular receptors, and to confirm compliance with applicable requirements:

- Illuminance Restriction: Illuminance from signage would not exceed 32.3 lux (3.0 footcandles) at the property line of the nearest residential property.
- Luminance Restriction: The measurable luminance of permitted signage would not exceed 500 cd/m² after sunset or before sunrise.
- Restriction for Drivers' Visibility: Self-illuminated signs and/or luminaires intended to illuminate signs would be shielded, or reduced in intensity, or otherwise protected from view such that the brightness of a light source within 10 degrees from a driver's normal line of sight would not be more than 1,000 times the minimum measured brightness in the driver's field of view, except when minimum values are less than 10 fL. If minimum values are below 10 fL, the source brightness would not exceed 500 fL plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

Enforcement Agency: Los Angeles Department of Building and Safety;
Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-Construction; Construction

Monitoring Frequency: Once at plan check; once at field inspection prior to issuance of Certificate of Occupancy

Action Indicating Compliance: Approval of Lighting Plans prior to issuance of Building Permit (Pre-construction); Written compliance certification from approved lighting consultant/expert prior to issuance of Certificate of Occupancy (Construction)

- **Illumination Testing and Compliance Protocol:** The Applicant's lighting design expert shall implement the following protocol to confirm compliance with all City Code requirements and lighting regulations (including without limitation, LAMC Section 93.0117, the requirements of the Sign Ordinance) and Illuminated Signage Performance Standards 1 through 3, above. The results of the foregoing testing shall be provided to the Los Angeles Department of Building and Safety (and copied to the Department of City Planning) immediately prior to initial signage operation and immediately prior to initial Museum operation, with a follow-up compliance test to be performed 12 months after issuance of the Certificate of Occupancy.
 - A representative testing site shall be established on or next to those light-sensitive receptors which have the greatest exposure to signage and Museum lighting on the west façade of the Project.
 - A light meter mounted to a tripod at eye level, facing the Project buildings, shall be calibrated and measurements shall be taken to determine ambient light levels with the signage on, and when the Museum is open and operating.
 - An opaque object (e.g., a board) shall also be used to block out the view of the sign, and the Museum, from the light meter, at a distance of at least 4 feet away from the tripod and blocking the light meter's view of the Project buildings. A reading shall be taken to determine the ambient light levels with the sign off.
 - The difference between the ambient light levels with the signage being illuminated, and with the signage being off, would be the amount of light the signage casts onto the sensitive receptor.
 - The difference between ambient light levels with the Museum lighting on and off would be the amount of light the Museum casts onto the sensitive receptor.
 - An alternative method to measure light levels would be to use the same tripod and same light meter, but to turn on and off the signage, and to turn the Museum lighting on and off. This method takes more coordination, but is more accurate.
 - In addition, if at any time, the Los Angeles Department of Building and Safety has good cause to believe the Project's signage lighting is not in compliance with the Los Angeles Municipal Code, regulations, or Performance Standards, the Los Angeles Department of Building and Safety may request the protocol be implemented to determine compliance, at the expense of the Applicant. If the testing determines that the signage, or the Museum lighting, is not in compliance with the Los Angeles Municipal Code, regulations, Project Performance Standards, or project design features, the Applicant shall adjust

the signage and/or lighting to bring it into compliance immediately.

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of Building and Safety; Los Angeles Department of City Planning

Monitoring Phase: Pre-operation; Operation

Monitoring Frequency: Once prior to signage operation; once prior to Museum operation; and once 12 months after issuance of Certificate of Occupancy

Actions Indicating Compliance: Los Angeles Department of Building and Safety approval of lighting testing results

PDF-AQ-1, Green Building Measures: The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the USGBC LEED® Silver Certification or its equivalent. The Project would incorporate measures and performance standards to support its LEED® Silver Certification or its equivalent, which include but are not limited to the following:

- The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris. (LEED® Materials and Resources Credit 2);
- The Project would be designed to optimize energy performance and reduce building energy cost by 13 percent compared to ASHRAE 90.1-2007, Appendix G and the Title 24 Building Standards Code. (LEED® Energy and Atmosphere Prerequisite 2);
- The Project would include water efficient landscaping and reduce potable water used for irrigation by 50 percent. (LEED® Water Efficiency Credit 1);
- The Project would reduce building water use by 39 percent by installing water fixtures that exceed applicable standards. (LEED® Water Efficiency Credit 3); and,
- The Project would implement a green cleaning plan consistent with the requirements of the LEED® standards for Existing Building Operations and Maintenance. (LEED® Innovation in Design Credit 1.2)

Enforcement Agency: Los Angeles Department of City Planning (approval of measures and performance standards); Los Angeles Department of Building and Safety (Operation)

Monitoring Agency: Los Angeles Department of City Planning (approval of measures and performance standards); Los Angeles Department of Building and Safety (Operation)

Monitoring Phase: Pre-construction; Operation

Monitoring Frequency: Once at plan check prior to issuance of grading permit; Annually during operation

Action Indicating Compliance: Plan approval and issuance of Building Permit (Pre-construction); Annual compliance certification report submitted by Applicant (Operation)

PDF-AQ-2, Piazza Electrical Infrastructure: The Applicant shall install sufficient electrical wiring and outlets in the Piazza to support lighting, amplified sound, and other electricity-powered Academy and vendor needs as required for outdoor events. All electrical wiring and

outlets shall be equipped with appropriate outdoor insulation and covers, as needed. The use of an on-site diesel generator shall be limited to back-up and/or emergency purposes.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Operation

Monitoring Frequency: Once at plan check prior to issuance of building permit; Annually during operation

Action Indicating Compliance: Plan approval and issuance of Building Permit (Pre-construction); Annual compliance certification report submitted by Applicant (Operation)

PDF-HIST-1, Materials Conservation and Preservation Plan (“Preservation Plan”): A Preservation Plan would be incorporated into the Project to help support conformance with the Standards during rehabilitation of the Original Building, and to ensure that it would retain its significance as a historic resource. The Preservation Plan would include:

- Architectural recordation of existing conditions prior to the commencement of Project construction,
- Materials conservation and treatment during rehabilitation of the Original Building,
- Plan reviews and construction monitoring by a qualified preservation consultant,
- An interpretive program to communicate the cultural history of the May Company Building.

The Preservation Plan would include architectural recordation to document existing conditions prior to the commencement of Project construction. The architectural recordation would record character-defining architecture, spaces, elements and features of the May Company Building through archiving of existing built or original drawings, 35mm photographs of architectural details, materials and features to record color, materials and texture and Section III and Appendices C, D, E and F of the *Assessment* Report to document the architectural description of the building and narrative history of construction, alterations, and statement of significance. The architectural recordation would provide important source material for any repair or restoration of the building that may be undertaken in the future. The architectural recordation report would be archivally produced and deposited in a publically accessible library or museum archive such as the Library of Congress, LACMA, the Museum, or the Los Angeles Public Library.

The Preservation Plan would develop and implement a materials conservation and treatment program for the exterior Cladding and Tile which would involve conditions investigations, testing, research; and repairs by a team of qualified historic architects and conservators, to assist in compliance with the requirement that the treatment of the primary façades of the Original Building conform to the Standards. The performance standards for the materials conservation and treatment program, in accordance with the Standards, are to: 1) retain and preserve the exterior Cladding and Tile materials to the extent feasible and avoid their removal; 2) if they have deteriorated or are otherwise damaged, they shall be repaired rather than replaced; and, 3) if the severity of deterioration or damage requires replacement, the new materials shall match the old in design, color, texture, and other visual qualities and, where possible, materials, including use of replacement limestone for Cladding from the original quarry.

Over the long-term, the Preservation Plan would guide changes made to primary façades of the Original Building and would provide information for maintenance procedures. The Preservation Plan would serve as a primary planning document for decision-making about treatments, and would provide a summary of information known and conditions observed at the time of the

conditions investigations survey and a bibliography of archival documentation relevant to the structure.

The Preservation Plan would require the Applicant to retain a qualified preservation consultant to review the final construction plans, provide necessary guidance and oversight for preservation treatment, and conduct periodic monitoring during demolition and construction for the purpose of protecting and preserving character-defining features that would be retained under the Project. The consultant would identify items from the demolition of the 1946 Addition and rehabilitation of the Original Building appropriate for salvage, if any, and develop a salvage program for preservation of artifacts.

The Preservation Plan would also develop a publically accessible interpretive program on the history and architecture of the May Company Building to make the cultural history available to the public.

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Resources; Cultural Heritage Commission

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources; Cultural Heritage Commission

Monitoring Phase: Pre-construction, Construction

Monitoring Frequency: To be determined by consultation with the qualified preservation consultant

Action Indicating Compliance: Approval of Materials Conservation and Preservation Plan; compliance certification report submitted by qualified preservation consultant

PDF-HAZ-1, Health and Safety Plan: Given the Project's susceptibility to naturally occurring methane and hydrogen sulfide gas, a Health and Safety Plan would be prepared in compliance with OSHA Safety and Health Standards (29 Code of Federal Regulations 1910.120) and Cal/OSHA requirements. (CCR Title 8, General Industry Safety Orders and California Labor Code, Division 5, Part 1, Sections 6300-6719) and submitted for review by the Department of Building and Safety. The Health and Safety Plan would address, as appropriate, safety requirements that would serve to avoid significant impacts or risks to workers or the public in the event that elevated levels of subsurface gases are encountered during grading and construction. The Health and Safety Plan would also address potential vapor encroachment from the possible contamination of soil and groundwater due to the past storage and use of hazardous materials within the basement of the May Company Building. Gas monitoring devices would be in place to alert workers in the event elevated gas or other vapor concentrations occur when basement slab demolition or soil excavation is being performed. Contingency procedures would be in place in the event elevated gas concentrations are detected, such as the mandatory use of personal protective equipment, evacuation of the area, and/or increasing ventilation within the immediate work area. Workers would be trained to identify exposure symptoms and implement alarm response. Areas of soil and groundwater that are exposed during excavation would be minimized by staggering exposed demolition areas to reduce to potential for off-gassing or other vapor encroachment. Construction fencing would be installed to limit public access to the Project Site and provide additional distance between the public and excavation activities to allow for gas and vapor dilution. The Health and Safety Plan would have emergency contact numbers, maps to the nearest hospital, gas monitoring action levels, gas response actions, allowable worker exposure times, and mandatory personal protective equipment requirements. The Health and Safety Plan would be signed by all workers on-site to demonstrate their understanding of the construction risks.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once prior to issuance of grading permit; Ongoing with periodic field inspections during construction for plan implementation

Action Indicating Compliance: Issuance of grading permit (Pre-construction); Approval of Health and Safety Plan (Pre-construction); Field inspection sign-off (Construction); compliance certification report submitted by Project contractor (Construction)

PDF-HAZ-2, Soil Management Plan: Due to the high potential for excavated soil to contain methane and hydrogen sulfide gases, tar sands, and other contaminants that may result in vapor encroachment conditions, a Soil Management Plan would be prepared. Excavated soils would be sampled and tested for disposal in a timely manner. The Soil Management Plan would specify the testing parameters and sampling frequency. Anticipated testing includes TPH and TPH-diesel, VOCs, vapor encroachment conditions, and certain metals. If such metals are elevated, additional testing may be required. If soil is stockpiled prior to disposal, it will be managed in accordance with the Project's Storm Water Pollution Prevention Plan. All impacted soils would be properly treated and disposed of in accordance with applicable SCAQMD, DTSC, and LARWQCB requirements.

Enforcement Agency: Los Angeles Department of Building and Safety; South Coast Air Quality Management District, Department of Toxic Substances Control; Los Angeles Fire Department; Los Angeles Regional Water Quality Control Board

Monitoring Agency: Los Angeles Department of Building and Safety; Los Angeles Fire Department

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once prior to issuance of grading permit; Ongoing with periodic field inspections during construction for plan implementation

Action Indicating Compliance: Approval of Soil Management Plan by regulatory agency (Pre-construction); written compliance report by a qualified environmental consultant (Construction)

PDF-HAZ-3, Gas Mitigation and Monitoring System: Given the Project's susceptibility to naturally-occurring methane and hydrogen sulfide gases, a Gas Mitigation and Monitoring System would be installed and maintained as part of the Project to ensure subsurface gases do not pose a significant health or safety risk. Design and construction of the Gas Mitigation and Monitoring System would be subject to review and approval by the Department of Building and Safety, the Fire Department, and the Bureau of Sanitation, Industrial Waste Management Division, and would meet requirements set forth in the Methane Code, Building Code Sections 91.106.4.1, 91.3404.1.1, and Fire Prevention Bureau Requirement No. 71. The Gas Mitigation and Monitoring System would be integrated into the architectural and landscape designs for the Project and would include a combination of passive and active systems. Per Methane Code Site Design Level V requirements, the Original Building (including the remaining below grade portions) and underground utility corridor are required to have the following:

- Dewatering system (unless a waiver is granted by the Department of Building and Safety)
- Passive system
 - Impervious membrane
 - Sub-slab vent system
- Perforated horizontal pipe within a gravel trench

- Gravel blanket
- Vent Risers
- Active system
 - Sub-slab vent system: mechanical extraction
 - Lowest occupied space
- Gas detection system
- Mechanical ventilation
- Alarm system
- Control panel
- Miscellaneous components
 - Trench dam
 - Conduit or cable seal fitting

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Fire Department; Los Angeles Department of Public Works

Monitoring Agency: Los Angeles Department of Building and Safety; Los Angeles Fire Department; Los Angeles Department of Public Works

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once prior to issuance of grading permit; Ongoing with periodic field inspections during construction

Action Indicating Compliance: Issuance of grading permit (Pre-construction); Approval of Gas Mitigation and Monitoring System (Construction)

PDF-HAZ-4, Operations and Maintenance Plan (“O&M Plan”): Once constructed, the Gas Mitigation and Monitoring System would be guided by an O&M Plan subject to City review and approval, which would include standard procedures and protocols for routine, ongoing, and long-term operation and maintenance of the Gas Mitigation and Monitoring System throughout the life of the Project. The O&M Plan would incorporate the manufacturers’ maintenance and service procedures for each gas detection and mechanical ventilation system as well as Fire Prevention Bureau Requirement No. 71, Fire Chief’s Regulation 4, Section 4J which provides a systems certification checklist and alarm testing requirements. Typical elements in the O&M Plan would include regular calibration of the gas detection sensors, testing of the high-level alarms, and subsequent evaluation of alarm-triggered responses. Longer-term maintenance would include evaluation of horizontal gas extraction pipes and impervious membrane if subfloor work is performed which affects the impervious membrane and/or piping. Repairs to the pipes and impervious membrane would be in accordance with the Project Specifications to be prepared at a later date in anticipation of construction.

Enforcement Agency: Los Angeles Fire Department; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Fire Department; Los Angeles Department of Building and Safety

Monitoring Phase: Pre-operation, Operation

Monitoring Frequency: Once for plan approval prior to operation; Ongoing during operation

Action Indicating Compliance: Approval of Operations and Maintenance Plan (Pre-operation); Annual compliance certification report submitted by Applicant (Operation)

PDF-HAZ-5, Emergency Plan: In accordance with the Methane Code, Section 91.7107, an Emergency Plan would also be developed to address emergency situations resulting from gas detections. The Emergency Plan would identify the responsible individual for interfacing with the Fire Department in the establishment, implementation, and maintenance of the Emergency Plan. Conspicuous postings of the Fire Department phone number and emergency plan procedures in locations designated by the Fire Department would be outlined in the Emergency Plan. The Emergency Plan would be submitted to the Fire Department for review and approval.

Enforcement Agency: Los Angeles Fire Department; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Fire Department; Los Angeles Department of Building and Safety

Monitoring Phase: Pre-operation; Operation

Monitoring Frequency: Once for plan approval prior to operation; Annually during operation

Action Indicating Compliance: Approval of Emergency Plan prior to operation (Pre-operation); Annual compliance certification report submitted by Applicant (Operation)

PDF-WQ-1, Construction Dewatering Discharge Analysis and Treatment: Groundwater is expected to be encountered during deeper excavations for the shear wall foundations, elevator pits, installation of micropiles and augercast piles, underground utility corridor, and installation of the Gas Mitigation and Monitoring System which would require dewatering. The extracted groundwater is anticipated to contain dissolved methane and hydrogen sulfide gases, Total Recoverable Petroleum Hydrocarbons ("TRPH"), Total Petroleum Hydrocarbons ("TPH"), Metals, and volatile organic compounds ("VOCs") which exceed water quality standards. In addition, vapor encroachment caused by the release of vapors from contaminated groundwater due to previous uses of hazardous materials in the basement of the May Company Building may occur. Therefore groundwater vapors would be monitored and extracted groundwater would require treatment prior to discharge into the storm drain system. Dewatering, treatment, and disposal of groundwater would be conducted in accordance with the LARWQCB's Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties. The dewatering program for the Project is expected to implement the following:

- Dewatering would include one or two dewatering wells or well points to lower groundwater level at each excavation site.
- Each dewatering well would extend at least 20 feet into the tar sand stratum or approximately 40 feet below the concrete basement topping slab.
- Each dewatering well would be capable of operating continuously and be equipped with controls to avoid the well running dry.
- Dewatering wells would be designed to reduce the potential for plugging from tar.
- The proposed groundwater treatment system for dewatering would consist of a frac tank, a bag filter and two carbon filter units. Compliance with LARWQCB permit requirements require treatment of effluent prior to discharge and implementation of a monitoring and reporting program to ensure that effluent limitations are not exceeded.
- In addition, sumps and/or trenches could also be used for dewatering smaller excavation areas.

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Regional Water Quality Control Board; Los Angeles Department of Public Works

Monitoring Agency: Los Angeles Department of Public Works

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once at plan check prior to issuance of grading permit; Periodic field inspections during construction

Action Indicating Compliance: Approval of dewatering program and issuance of Dewatering Permit (Pre-construction); Compliance certification report by Applicant (Construction)

PDF-WQ-2, Nitrate Control: As the majority of pollutants of concern for stormwater runoff are captured and filtered out by soils, except for nitrates often used in landscaping fertilizers, the Applicant would voluntarily control nitrates through the selection of native plants and minimal use of nitrogen-based fertilizers for landscape maintenance.

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Department of Public Works

Monitoring Agency: Los Angeles Department of Public Works

Monitoring Phase: Pre-construction; Construction; Operation

Monitoring Frequency: Once with approval of landscape plans at plan check; once at field inspection sign-off prior to issuance of Certificate of Occupancy; Annually during operation

Action Indicating Compliance: Plan approval and issuance of building permit (Pre-Construction); Issuance of Certificate of Occupancy (Construction); Annual compliance certification report by Applicant (Operation)

PDF-NOISE-1, Rooftop Terrace, Outdoor Sound Amplification Limits: The event-related sound level (sound amplification) shall be limited to a maximum sound level of 90 dBA and 93 dBC at approximately 30 feet from the center of the screening area on the Rooftop Terrace. Academy sound engineers/technicians will calibrate the sound system/speaker arrangement prior to each screening event.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Operation

Monitoring Frequency: Periodic field inspections during events at Rooftop Terrace

Action Indicating Compliance: Compliance verification submitted by technical noise expert

PDF-NOISE-2, Piazza, Outdoor Sound Amplification Limits: The event-related sound level (sound amplification) shall be limited to a maximum sound level of 84 dBA and 87 dBC at approximately 30 feet from the boundary of the event area in the Piazza. Academy sound engineers/technicians will ensure the sound system is calibrated to these levels prior to each event and that speakers are oriented away from off-site receptors, and towards the Project Site buildings, to the extent possible.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Operation

Monitoring Frequency: Periodic field inspections during events at Piazza

Action Indicating Compliance: Compliance verification submitted by technical noise expert

PDF-NOISE-3, Amplified Sound Curfew: No outdoor amplified sound and/or music shall be allowed on the Project Site after 10 P.M.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Operation

Monitoring Frequency: Periodic field inspections, Also, Applicant to post Museum telephone number on the Museum website and otherwise make it available for complaints during or in association with evening special events. Applicant also to keep records of any complaints.

Action Indicating Compliance: Compliance verification submitted by technical noise expert

PDF-NOISE-4, Construction Period Vibration Monitoring Plan: As a precaution to avoid or minimize potential construction vibration damage to finish materials on the Original Building, such as limestone cladding and mosaic tile work, the condition of such materials shall be documented by a qualified preservation consultant, prior to initiation of construction. Monitoring for potential damage to the finish materials of the Original Building shall occur during demolition and excavation activities within 50 feet of the Original Building and during placement of augercast piles (or equivalent) planned for the foundation of the Sphere. In the event damage to finish materials occurs, the monitor shall be authorized to halt construction activities until such activities are adjusted to avoid or minimize damage to the Original Building. In the event damage occurs to finish materials due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant, and if warranted, in a manner that meets the Secretary of the Interior's Standards and the intent of the Project Preservation Plan.

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Preservation

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Preservation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once prior to construction; Ongoing during construction

Action Indicating Compliance: Submittal of report by a qualified preservation consultant (Pre-construction); compliance certification report by a qualified preservation consultant (Construction)

PDF-NOISE-5, Sphere and View Deck Outdoor Sound Amplification Limits. The final design and/or operation of the Sphere and View Deck space sound levels shall not exceed a performance standard of 74 dBA and 77 dBC at the outside edge of any openings to the structure covering the View Deck. Amplified sound and speakers shall be prohibited on any terrace area of the Sphere should one be added in the final design, and occupancy of this area after 10:00 p.m. shall be prohibited.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Operation

Monitoring Frequency: Periodic field inspections during events at Piazza

Action Indicating Compliance: Compliance verification submitted by technical noise expert

PDF-TRAF-1, Construction Traffic Management Plan: A detailed Construction Traffic Management Plan including street closure information, detour plans, haul routes, and staging plans would be prepared and submitted to the City for review and approval. The Construction Traffic Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Traffic Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and may include the following elements as appropriate:

- Providing for temporary traffic control during all construction activities adjacent to public right-of-way to improve traffic flow on public roadways (e.g., flag men);
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Rerouting construction trucks to reduce travel on congested streets to the extent feasible;
- Prohibiting construction-related vehicles to park on surrounding public streets;
- Providing safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers;
- Accommodating all equipment on-site;
- Scheduling of construction-related deliveries to reduce travel during commuter peak hours as identified in the Traffic Study contained in Appendix M-1 of the EIR;
- Obtaining the required permits for truck haul routes from the City prior to issuance of any permit for the Project;
- Participating in regular coordination meetings with local stakeholders, including Metro, LACMA, and Los Angeles Department of Transportation regarding construction activities in the area, including such issues as temporary lane closures and potential concurrent construction activities along Wilshire Boulevard; and
- Provisions for safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers, as required.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once prior to issuance of Demolition or Building Permit; periodic field inspections during construction

Action Indicating Compliance: Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of Demolition or Building Permit (Pre-construction); compliance certification report submitted by Project contractor (Construction)

PDF-TRAF-2, Parking and Traffic Management Plan: A Parking and Traffic Management Plan would be developed to minimize potential operational parking and traffic impacts on the surrounding street system to the maximum extent feasible. Components of the plan would

include measures to effectively manage and direct parking demand and traffic during Museum Typical Days, Design Days, and Peak Days and Theater Special Events on weekdays and weekends. The Parking and Traffic Management Plan would be subject to review and approval by the City. Parking and Traffic Management Plan strategies, which are anticipated, in part, to facilitate more direct routing to off-street parking lots (as shown in Figure 22 of the *Traffic Study* contained in Appendix M-1 of the EIR), may include the following:

Museum Operations

- Provide directions and location maps with visitor parking options in website postings, marketing, notification and media materials, etc.;
- Provide information and encourage alternate travel options (i.e., transit, carpooling, ridesharing,) for visitors in postings and media materials;
- Use coordinated directional signage to the Museum and LACMA, including shared parking facilities;
- Coordinate scheduling with LACMA and other nearby cultural entities, to the extent feasible;
- Provide designated on- or off-site areas for employee and staff parking, so as to maximize the convenient parking for visitors;
- Require advance reservation tickets for certain anticipated high attendance days;
- Establish a timed ticketing program, as appropriate, to manage hourly and daily volumes on design and peak attendance days, as needed;
- Identify locations for bus drop-off/pick-up and staging;
- Deploy parking attendants or hire a parking service to expedite on-site parking circulation and to facilitate stacked parking for visitors in Pritzker Garage during peak Museum hours of operation;
- Develop “smart” applications and real-time information to inform visitors of the location of available parking;
- Include auto parking, bike parking, and transit information with tickets and other materials mailed to visitors; and
- Provide personnel to help entering guests find remaining open parking spaces within Pritzker Garage and Spaulding Lot.

Theater Special Events

- Implement traffic and parking management measures outlined for the Museum, as appropriate;
- Encourage alternate travel options (ridesharing, transit) in event-related marketing/media information;
- Deploy lane use signs, changeable message signs, etc., to direct traffic to use certain travel routes;
- Reschedule Museum operating hours, activities, programs, etc., that are not related to a planned special event or program to a different day or non-peak periods when possible;
- Contract with parking operators to provide attendants, flagmen, valets, etc., to expedite vehicle movement in or out of the Pritzker Garage;
- Assign personnel (e.g., parking monitors) to redirect traffic as needed between the parking areas depending on congestion;
- Provide and promote certain designated passenger loading areas as approved by the City and discourage idling on residential streets within adjacent neighborhood communities during events;

- Provide parking operators/personnel to direct any overflow vehicles to available off-site locations;
- Secure additional off-site parking spaces and locations, which may include round-trip shuttle service to the site for selected events;
- Conduct a debriefing meeting including as appropriate, event coordinators, parking operators, and security, to review parking and traffic management strategies for future similar events;
- Prohibit lane closures of Fairfax Avenue; and,
- Establish an Event Coordination Plan with LACMA that may include additional measures related to events, visitor enhancements, parking, and loading. See Attachment A of the MMRP.

Loading

- Post directions and a map showing the truck route for deliveries, construction vehicles, and other trucks coming to the site;
- Designate truck routes in relevant contracts, including construction, operation, maintenance contracts, etc.;
- Prohibit construction and/or similar activities on anticipated days at LACMA with peak or Design Day Attendance levels if such construction or activity is expected to cause overflow parking onto the surrounding residential streets; and
- Prohibit non-essential truck deliveries during event hours when possible.

Transportation Demand Management

The Parking and Traffic Management Plan would also encompass Transportation Demand Management ("TDM") strategies to encourage visitors and employees to reduce parking demand and vehicular traffic on the adjacent streets during the peak hours by promoting carpooling and non-auto travel through pedestrian-friendly designs and orientation that facilitates transit use. The TDM strategies may include the following:

- Promotion and support of carpools and rideshares;
- Bicycle amenities (bicycle racks, lockers, etc.);
- Guaranteed ride home program;
- Flexible or alternative work schedules;
- Subsidize transit passes provided to eligible Project employees;
- Parking incentives and administrative support for formation of carpools and vanpools;
- Transportation Information Center, educational programs, kiosks, and/or other materials;
- On-site TDM coordinator;
- Coordinate with LADOT to evaluate the possibility of providing space for a future Integrated Mobility Hub at or near the Project Site;
- Incentivize the use of transit for Project visitors through discounted entry fees, gift store coupons, etc. for transit users; and
- Contribute funding to be deposited into the City's Bicycle Plan Trust Fund to implement bikeway improvements in the Study Area.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-operation; Operation

Monitoring Frequency: Once for Parking and Traffic Management Plan approval; Annually during operation

Action Indicating Compliance: LADOT approval of Parking and Traffic Management Plan prior to operation (Pre-operation); Annual compliance certification report submitted by Applicant (Operation)

MM-PALEO-1: The Applicant shall retain a qualified paleontologist ("Project Paleontologist") with a minimum of five years of experience in excavating the asphaltic soils of Hancock Park. The Project Paleontologist, to be approved and supervised by the Page Museum, shall plan, implement, and supervise paleontological monitoring, preservation, fossil recovery, fossil preparation (in the field), fossil documentation (in the field) and reporting of significant paleontological resources within paleontologically sensitive areas, which in the case of the Project, is the entire Project excavation. The Project Paleontologist shall monitor or supervise monitoring by a qualified paleontological monitor ("Paleontological Monitor") with experience in excavating the asphaltic soils of Hancock Park, and shall recover or supervise the recovery of any fossils. The Project Paleontologist, or Paleontological Monitor under the supervision of the Project Paleontologist, shall document resource locations and stratigraphic context before the resources are conveyed to the Page Museum for preparation, curation, and study. Recovery fossils shall be processed and cataloged by the Page Museum staff and shall be curated at the Page Museum.

Per the Society of Vertebrate Paleontology Standard Guidelines, a qualified paleontologist has a graduate degree in paleontology or geology, and/or a publication record in peer-reviewed journals; demonstrated competence in field techniques, preparation, identification, curation, and reporting in the state or geologic province in which the project occurs; minimum two full years professional experience as assistant to a Project Paleontologist with administration and project management experience supported by a list of projects and referral contacts; proficiency in recognizing fossils in the field and determining their significance; and expertise in local geology, stratigraphy, and biostratigraphy; and experience collecting vertebrate fossils in the field. Per the Society of Vertebrate Paleontology Standard Guidelines, a qualified paleontological monitor has a B.S or B.A. degree in paleontology or geology and one year experience monitoring in the state or geologic province of the specific project. An associate degree and/or demonstrated experience showing ability to recognize fossils in a biostratigraphic context and recover vertebrate fossils in the field may be substituted for a degree. An undergraduate degree in paleontology or geology is preferable, but is less important than documented experience performing paleontological monitoring.

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once prior to issuance of Grading Permit

Action Indicating Compliance: Issuance of grading permit and approval of Paleontological Resources Monitoring and Mitigation Plan

MM-PALEO-2: Prior to construction, the Project Paleontologist shall prepare a Paleontological Resources Monitoring and Mitigation Plan ("PRMMP"), subject to approval by the City, Page Museum, and the Applicant, to address the monitoring, recovery, preservation, and reporting of any paleontological resources. The PRMMP shall describe the potential for encountering paleontological resources at the Project Site; known paleontological resources in the area; paleontological resources monitoring methodology that is generally consistent with the Memorandum of Understanding for Paleontological Resources between Metro and the Natural History Museum of Los Angeles County; procedures to follow if resources are discovered during

any construction-related activities; and a regulatory framework that explains the laws and regulations that protect paleontological resources. The paleontological methods (Page Museum 2011a) and the techniques for excavation (Page Museum 2011b) should also be followed for all paleontological deposits and fossil specimen encountered. The PRMMP shall be prepared and carried out by the Project Paleontologist (or, in the case of excavation monitoring, a qualified Paleontological Monitor working under the supervision of the Project Paleontologist) and shall incorporate relevant paleontological methods outlined by the Page Museum (Appendices C, D, and E of the *Paleontological Resources Assessment*). The PRMMP shall specify the following:

- The Project Paleontologist or Paleontological Monitor approved by the Project Paleontologist shall monitor all ground-disturbing activities, including drilling and/or augering at micropile locations.
- The Project Paleontologist or Paleontological Monitor shall perform contemporaneous paleontological resource screening of all retrieved sediment from drilling and/or augering at micropile locations to a depth of up to 30 feet.
- The Project Paleontologist or Paleontological Monitor shall be authorized to temporarily halt construction activities in an area of identified paleontological resources upon the identification of such resources until the area is released by the Project Paleontologist or Paleontological Monitor.
- Paleontological resources recovered from the Project Site, including asphaltic deposits containing fossils, shall be recorded, recovered (including excavation of boxed deposits and/or individual fossils) and prepared in accordance with the PRMMP, based on the best practices outlined by the Page Museum (see Appendices C, D, and E of the *Paleontological Resources Assessment*) and in the Society of Vertebrate Paleontology Standard Guidelines. Microfossils shall also be collected via the collection of up to 6,000 pounds of matrix per fossil locality per the Society of Vertebrate Paleontology Standard Guidelines as many significant vertebrate fossils and non-vertebrate paleoenvironmental indicators, such as plant seeds and shell are too small to be readily visible and can only be recovered via bulk matrix sampling.
- Progress reports and field notes shall be provided by the Project Paleontologist to the Museum and the Page Museum periodically (i.e., monthly, or at an interval to be determined in the PRMMP).
- Funding for required fossil recovery, cleaning, preservation, identification, analysis, cataloging, curation, temporary storage and any other fossil-related activities shall be negotiated between the Applicant and Page Museum. A detailed cost agreement between the Applicant and the Page Museum will be developed and mutually agreed upon based on recovered fossils.
- Consultation shall be undertaken with the Page Museum regarding field and laboratory methods to be incorporated into the PRMMP.
- The PRMMP shall include provisions for the expeditious removal of paleontological resources to allow Project completion according to schedule, but allowing complete resource recovery in compliance with Page Museum standards, as demonstrated with Project 23. The recordation of all data, the excavation of boxed deposits or individual fossils, preparation of fossils, shall be based on the best practices outlined by the Page Museum (see Appendices C, D, and E of the *Paleontological Resources Assessment*) and in the Society of Vertebrate Paleontology Standard Guidelines.
- The PRMMP shall include provisions for the donation of all paleontological resources to the Page Museum, and for Page Museum

accession, final curation, and management in a secure and climate-controlled environment of the fossils recovered during Project excavation.

- Preparation of an initial report shall be funded by the Applicant. Upon completion of construction monitoring, a final report shall be prepared with preliminary and/or summary findings to date for submittal to the City, the Natural History Museum, and Page Museum. Because processing and analyzing large deposits and numerous specimens may be required and would take a substantial amount of time, an addendum to the final report shall be completed within a reasonable amount of time once all the fossils have been analyzed. The final report and addendum shall be funded by the Academy.

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety, Los Angeles Department of City Planning, Page Museum

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: To be determined by consultation with Project Paleontologist or qualified Paleontological Monitor

Action Indicating Compliance: Approval of Paleontological Resources Monitoring and Mitigation Plan by Los Angeles Department of City Planning and Page Museum (Pre-construction); periodic progress reports and field notes to the Los Angeles Department of City Planning and Page Museum; final report prepared and submitted to the Los Angeles Department of City Planning, Page Museum, and the Natural History Museum (Construction); compliance certification report submitted by the Project Paleontologist (Construction)

MM-PALEO-3: Prior to construction, the Project Paleontologist or Paleontological Monitor shall inform construction personnel who will be involved with earth-moving activities that fossils may be encountered during excavation into native geologic deposits, and shall prepare and provide construction personnel with a Project-specific Worker Environmental Awareness Plan outlining the procedure and protocols to follow if fossil remains are uncovered. These procedures and protocols shall include fossil recovery methods, notification procedures and protocols upon fossil discovery, and the laws and regulations protecting paleontological resources from theft and destruction. This Worker Environmental Awareness Plan shall incorporate relevant elements from the Wilshire/Fairfax Station Construction Paleontological Resources Extraction (Appendix E of the *Paleontological Resources Assessment*).

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once prior to construction

Action Indicating Compliance: Approval of Project-specific Worker Environmental Awareness Plan; compliance certification report submitted by the Project Paleontologist

MM-ARCH-1: The Applicant shall retain a qualified archaeological monitor who meets the Secretary of the Interior's Professional Qualifications Standards for an archaeologist who shall be present during construction excavations such as grading, trenching, grubbing, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be determined by the archaeological monitor based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native

versus fill soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered.

Enforcement Agency: Los Angeles Department of City Planning;
Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with the archaeological monitor

Action Indicating Compliance: Compliance certification report submitted by qualified archaeological monitor

MM-ARCH-2: In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find. All archaeological resources unearthed by Project construction activities shall be evaluated by the archaeologist. The Applicant shall coordinate with the archaeologist and the City to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. In the event the archaeological resources encountered are prehistoric, the archaeological monitor shall coordinate with the Applicant and the City to retain a Native American Representative from the Gabrielino Tribe to help determine the appropriate treatment for the resources and whether Native American construction monitoring is warranted in the area of the find thereafter. If avoidance of the resource is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource from the Project Site.

Enforcement Agency: Los Angeles Department of City Planning;
Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with the archaeological monitor if archaeological resources are discovered

Action Indicating Compliance: If archaeological resources are unearthed, submittal of compliance certification report and treatment plan by a qualified archaeological monitor

MM-ARCH-3: The archaeological monitor shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted by the Applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register. The Applicant, in consultation with the archaeologist and the City shall designate repositories meeting State standards in the event that archaeological material is recovered. Project material shall be curated in accordance with the State Historical Resources Commission's *Guidelines for Curation of Archaeological Collections*.

Enforcement Agency: Los Angeles Department of City Planning;
Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Phase: Post-construction

Monitoring Frequency: Once upon conclusion of archaeological monitoring

Action Indicating Compliance: If archaeological resources are unearthed, submittal of compliance certification report and report on archaeological findings by a qualified archaeological monitor

MM-ARCH-4: If human remains are encountered unexpectedly during implementation of the Project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission ("NAHC"). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent ("MLD"). The MLD may, with the permission of the Applicant, inspect the site of the discovery of the Native American remains and may recommend means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the Applicant to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the Applicant shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the Applicant has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The Applicant shall discuss all reasonable options with the descendants regarding the descendants' preferences for treatment.

Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the Applicant or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of PRC Section 5097.94, if invoked, fails to provide measures acceptable to the Applicant, the Applicant or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: To be determined by consultation with NAHC upon encounter of human remains

Action Indicating Compliance: If human remains are encountered unexpectedly, submittal of written evidence by the Los Angeles Department of City Planning of compliance with State Health and Safety Code Section 7050.0 and Public Resources Code Section 5097.98

MM-HAZ-1: Should any known or previously undiscovered oil production wells be encountered on the Project Site during construction activities, the Applicant or construction manager shall halt work in the immediate area and notify DOGGR and the Fire Department immediately. Any such wells shall be abandoned or re-abandoned in accordance with the requirements of DOGGR and the Fire Department.

Enforcement Agency: Los Angeles Department of Building and Safety; California Division of Oil, Gas and Geothermal Resources; Los Angeles Fire Department

Monitoring Agency: Los Angeles Department of Building and Safety; Los Angeles Fire Department

Monitoring Phase: Construction

Monitoring Frequency: Once at field inspection during construction

Action Indicating Compliance: Written approval by DOGGR and the Los Angeles Fire Department of abandonment or re-abandonment procedures in the event that oil production wells are encountered

MM-TRAF-1: The Applicant shall contribute funds toward Transportation Systems Management Improvements ("TSM") to better accommodate intersection operations and increase intersection capacity by approximately 1 percent, as determined by LADOT. TSM improvements shall include signal controller upgrades, closed circuit television ("CCTV") cameras, and system loops according to LADOT requirements.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction

Monitoring Frequency: Once prior to issuance of building permit

Action Indicating Compliance: Written verification of payment to LADOT prior to issuance of Building Permit

MM-TRAF-2: To minimize potential operational parking and traffic impacts on the surrounding street system to the maximum extent feasible, the Parking and Traffic Management Plan proposed in Project Design Feature PDF-TRAF-2 shall be implemented. Specific terms and conditions to be implemented are set forth in the Parking and Traffic Management Plan contained in Attachment E of Appendix F, Parking Analysis, in Appendix M-1, *Traffic Study* of the EIR.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Operation

Monitoring Frequency: Annually during operation

Action Indicating Compliance: Annual compliance certification report submitted by Applicant (Operation)

MM-TRAF-3: The Project is designed to integrate the existing bus and future rail transit facilities in the vicinity of the Project Site. The Project would be located immediately adjacent to a Metro Purple Line station and proposed portals. The Project would create a pedestrian-friendly environment with established and clear pedestrian networks, intersections, and signage.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once prior to approval of transit connection enhancements; once prior to issuance of Certificate of Occupancy

Action Indicating Compliance: Approval of B-Permit Plans (Pre-construction); Issuance of Certificate of Occupancy (Construction)

DECLARATION OF POSTING ORDINANCE

I, VERONICA COLEMAN-WARNER, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No.183741 – Zone change located at 6001-6067 West Wilshire Boulevard and 6000


West 6th Street – CPC 2014-3119 ZC SN CDO MCUP ZV ZA ZAI SPR - a copy of which is hereto

attached, was finally adopted by the Los Angeles City Council on **June 24, 2015**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **June 26, 2015** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **June 26, 2015** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **25th** day of **June, 2015** at Los Angeles, California.


Veronica Coleman-Warner, Deputy City Clerk

Ordinance Effective Date: **August 5, 2015**

Council File No. **15-0721**