

CONDITIONS OF APPROVAL
2185 South Street
Application No. 2110-39 (CUP21-023)
March 2, 2023

1. This approval is for a Conditional Use Permit to operation of a 24-hour fitness facility within an existing 100,883-square-foot commercial building on an 8.94-acre site located at 2185 South Street in the Regional Commercial Highway (CHW) Zoning District. This project is in conjunction with a Site Plan Review (MOD22-009) to allow the exterior façade improvement along the west and south elevations of the commercial building in the CHW zoning district.
2. This permit and all development rights hereunder shall terminate three years from the effective date of this permit unless construction is commenced or a time extension is granted for a one-year period, as permitted by Section 21.21.406 of the Long Beach Municipal Code (LBMC), based on a written and approved request submitted prior to the expiration of the subject grant.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the Conditions of Approval Acknowledgement Form supplied by the Planning Bureau. This acknowledgment form must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).

Special Conditions

4. Any expansion of the fitness facilities square footage shall be subject to a modification to the Conditional Use Permit.
5. The applicant shall work with planning staff on the final façade improvements and material selection during the building plan check process.
6. Prior to the issuance of a building permit, the final façade improvements shall be approved to the satisfaction of the Director of Development Services.
7. The site shall be improved consistent with the plans (MOD22-001) approved by Site Plan Review Committee on December 14, 2022, and the Planning Commission on March 2, 2023, except as amended by the Conditions of Approval.
8. Any remaining façade modifications to this 100,883-square-foot building not included in this scope of work for future tenants shall require a Modification to a Site Plan Review and shall apply similar façade elements for a consistent and balanced architectural theme to the commercial center.
9. All signage shall be reviewed for separate permits/entitlements. All signage must comply with the Long Beach Municipal Code.

10. The applicant shall screen all existing and proposed mechanical rooftop equipment, to the satisfaction of the Director of Development Services.
11. The applicant shall submit a lighting plan to ensure adequate on-site lighting. All parking areas serving the site shall provide appropriate security lighting with light and glare shields to avoid any light intrusion onto adjacent or abutting residential buildings or neighborhoods pursuant to Section 21.41.259. Other security measures may be required to be provided to the satisfaction of the Chief of Police.
12. The operator shall provide exterior video security cameras of all entries and exits into the building. Cameras must record in color with output of at least four hundred eighty (480) lines resolution. Recordings shall be retained for no less than (30) days on an IP-configurable Digital Video Recorder (DVR) or digital storage setup with a public IP address. The surveillance system username and password shall be provided to the Long Beach Police Department. Neither this Condition nor the installation, existence, or operation of such cameras shall impose, be the basis of, or cause to arise in favor of anyone, a legal duty of the operator or any person or entity to monitor, observe, report, or take any action of any kind regarding whatever activities, actions, or omissions, said cameras may or may not capture, monitor, observe, or record.
13. The hours of the fitness facility shall be allowed to operate 24-hours a day, seven (7) days a week.
14. The applicant shall submit complete landscape and irrigation plans for the approval of the Director of Development Services, as a separate, but concurrent plan checks with the building plans, prior to the issuance of building permits.
15. All landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted primarily with drought tolerant plant materials and shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
16. Prior to the issuance of building permits and commencement of construction activities, the applicant or construction contractor shall notify adjacent and adjoining property owners/occupants of the initiation of construction activities. The notification shall include the days and hours of construction and contact information for potential complaints.
17. The applicant shall comply with the comments provided by the Building and Safety Bureau, Long Beach Police, Long Beach Energy Resources and Long Beach Water Departments.

Building and Safety Conditions

18. The applicant shall comply with all comments from the Long Beach Building and Safety Bureau dated February 16, 2022.

Energy Resources Department Conditions

19. The applicant shall comply with all comments from the Long Beach Energy Resources Department dated February 9, 2022.

Police Department

20. The applicant shall comply with all comments from the Long Beach Police Department dated February 10, 2022.

Standard Conditions

21. All trucks, construction vehicles, and equipment not actively in use on the project site, including those queuing off-site, shall be prohibited from engine idling for more than 10 minutes, and the developer shall utilize best management practices (BMPs) and best available technology to achieve this. The developer shall post a clearly legible sign on the exterior construction fencing with the phone number of and equipment idling. Complaints of violations regarding truck and equipment idling shall be resolved within 24 hours of the receipt of the complaint. The Director of Development Services is authorized to issue stop work orders and withhold the issuance of building permits if the developer fails to remedy engine idling violations as required, until such time as the violations is remedied.
22. The Applicant shall be required to address all standards imposed by the California Department of Toxic Substances Control (DTSC) prior to the issuance of building permits.
23. Adequate loading/unloading space shall be maintained on the ground level of the self-storage building, outside of fire lanes.
24. Any streetlights, pedestrian lights, parking lot lights, building lights, and other exterior lights to be provided within the development or adjacent public rights-of-way shall be subject to review by the Director of Development Services prior to issuance of building and electrical permits. All lights shall be adequately shielded so as to prevent the intrusion of light and glare upon any adjacent property or structure, in compliance with the appropriate backlight/uplight/glare (BUG) rating requirements of the Illuminating Engineering Society of North America (IESNA) equivalent to the previous standard for certified full-cutoff fixtures, or meeting IESNA specifications for full-cutoff fixtures.
25. Prior to issuance of a grading permit, the developer shall provide a construction staging plan to the Director of Development Services for review and approval. Prior to

issuance of a grading or demolition permit (whichever occurs first), the developer shall submit a proposed haul route/trucking route for all construction truck trips for review by the Director of Development Services and the City Engineer. The Director of Development Services and/or City Engineer may modify this proposed haul route/trucking route prior to its approval, as they deem necessary to protect the public safety and welfare, and to prevent negative impacts upon neighboring uses. Said modifications (if any) and approval shall be binding upon all hauling activities and construction truck trips by the developer.

26. The developer shall abide by the haul route/trucking route approved by the Director of Development Services and City Engineer. Failure to do so shall cause the City to issue a stop work order and withhold issuance of further construction permits, inspections, or certificates of occupancy, until such time as the Director of Development Services and City Engineer determine the developer's hauling practices to be remedied.
27. Minor changes to these approved plans, in keeping with the intent and spirit of the project approvals, may be approved at the discretion of the Director of Development Services. For any major changes, including changes to building/architectural materials, on-site improvements, site plan or layout, landscaping, or other significant items (including deviations from any of these conditions of approval), the developer shall be required to submit an application for a Modification of Approved Permit (Planning Commission approval).
28. All groundcover and shrubs shall be drought-tolerant and low-water requirement species. The project landscaping shall comply with the Water Efficient Landscaping standards of Chapter 21.42 of the Zoning Regulations.
29. The developer shall provide final architectural plans and a sample of all final exterior finish and architectural materials and colors selected for construction to the Site Plan Review Committee for review, prior to issuance of a building permit. If the final building design or materials specifications are found to be below the standards approved in concept, the developer shall remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Site Plan Review Committee.
30. All forms of barbed wire and razor wire shall be prohibited throughout the site.
31. The Applicant shall provide for all CPTED (crime prevention through environmental design) recommendations issued for the project by the Long Beach Police Department, in the memo dated March 31, 2020, attached to these conditions of approval (Attachment B) and by this reference made a part hereof.
32. The developer shall provide for the construction of trash receptacle areas of sufficient number and size to meet all reasonably foreseeable refuse needs of the project. All trash receptacle areas shall be located and constructed in accordance

with Section 21.45.167 of the Zoning Regulations.

33. Any removed or replaced trees shall be replaced at a ratio of no less than one-to-one (1:1).
34. Prior to the issuance of a building permit, the Applicant shall depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. Wherever feasible, these devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, these devices shall be screened to the greatest extent feasible by landscaping or another screening method approved by the Director of Development Services.
35. If, in the judgment of the Director of Development Services, criminal or nuisance behaviors become a problem at the project site to the detriment of neighboring businesses, residents, or land uses, the Director of Development Services or Chief of Police may require the property owner to provide for additional on-site security services or other measures as necessary to remedy the problem.
36. Prior to the issuance of a building permit, the Applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval, to the satisfaction of the Director of Development Services.
37. All conditions of approval shall be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions shall be printed on the site plan or a subsequent reference page.
38. The plans submitted for plan review shall explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.
39. Upon plan approval and prior to issuance of a building permit, the Applicant shall submit a reduced size set of final construction plans for the project file.
40. The Director of Development Services is authorized to approve minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change or alter the approved project. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, or Planning Commission, respectively.
41. All rooftop mechanical equipment shall be fully screened from public view. Said screening shall be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the

building, a rooftop mechanical equipment screening plan shall be submitted for approval by the Director of Development Services prior to the issuance of a building permit.

42. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.
43. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
44. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
45. The Applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
46. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau shall be secured.
47. Low-flow fixtures shall be used for all lavatory faucets, kitchen faucets, showerheads, toilets, and urinals. Toilets may be either low-flow or dual flush. Maximum flow rates for each fixture type shall be as follows: lavatory faucet – 2.75 GPM, kitchen faucet – 2.20 GPM, showerhead – 2.00 GPM, toilet – 1.3 GPF, dual flush toilet – 0.8/1.6 GPF, urinal – 1.0 GPF. Plans submitted for review shall specifically identify such fixtures and flow rates.
48. All landscaping irrigation systems shall use high efficiency sprinkler nozzles. The models used and flow rates shall be specified on the landscaping plan. For residential-type or small-scale sprinkler systems, sprinkler head flow rates shall not exceed 1.00 GPM and shall be of the rotating type. Where feasible, drip irrigation shall be used instead. If an in-ground irrigation system is to be installed, such system shall be controlled by an automatic self-adjusting weather-based irrigation controller.
49. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
50. For projects consisting of new buildings, parking lots, or landscaped area, the Applicant shall submit complete landscape and irrigation plans for the approval of the Director of Development Services prior to application for a temporary certificate of occupancy, or certificate of occupancy. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees. On-site landscaping shall comply with Chapter 21.42 (Landscaping Standards), as applicable, to the satisfaction of the Director of

Development Services. The landscape plan check shall be submitted as a separate submittal concurrent with the building plan check.

51. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
52. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
53. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements shall be recorded with all title conveyance documents at time of closing escrow.
54. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
55. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
56. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
57. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
58. The operator of the approved use shall prevent loitering in all parking and landscaping areas serving the use during and after hours of operation. The operator shall clean the parking and landscaping areas of trash and debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Development Services may require additional preventative measures such as but not limited to, additional lighting or private

security guards.

59. Any graffiti found on site shall be removed within 24 hours of its appearance.
60. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long

