

**TENTATIVE TRACT MAP
CONDITIONS OF APPROVAL
1333-1351 Orizaba Avenue
Application No. 1709-40, TTM17-004
Date: February 15, 2018**

1. A Tentative Tract Map (Vesting Tentative Map No. 74943) request to subdivide two existing industrial buildings into ten industrial condominiums that range in size from 2,487 to 7,052 gross square feet located at 1333-1351 Orizaba Avenue in the Light Industrial (IL) zoning district.
2. This permit and all development rights hereunder shall terminate three years from the effective date of this permit unless a Final Map is recorded or a time extension is granted, based on a written and approved request submitted prior to the expiration of the three-year period as provided in Section 20.12.180 of the Long Beach Municipal Code.
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 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. A reciprocal parking arrangement shall be approved and recorded prior to the approval of the Final Map.
5. The applicant shall cause to be prepared Covenant, Conditions, and Restrictions (CC&Rs) for this project. A copy of the CC&Rs shall be provided the Director of Development Services for approval prior to be sent to the Department of Real Estate and recorded with the County Recorder.
6. The CC&Rs shall be executed and recorded against the title of the parcel and shall contain the following provisions (provisions shall also be noted on the final map):
 - a. The subject Tract Map consists of ten (10) industrial condominium units;
 - b. A minimum of fifty-five (55) parking spaces will be permanently maintained as parking facilities for the project. The spaces shall be permanently assigned to a specific unit and labeled thusly. Parking spaces must be used solely for the parking of employee and guest/customer vehicles. Parking spaces may not be leased, subleased, sold or given to others. These statements shall also be noted on the final map;
 - c. The common areas and facilities for the condominium shall be clearly described, including the shared common parking areas;

- d. The management company and/or owners shall be responsible for the operation and maintenance of the private sewer connection to the public sewer in the public right-of-way, the site drainage system, the maintenance of the common areas and facilities, the exterior of the building, the abutting street trees, parkways and any costs or corrections due to building or property maintenance code enforcement actions. Such responsibilities shall be provided for in the CC&Rs;
 - e. Graffiti removal shall be the responsibility of the management company and/or owners and shall be removed within 24 hours; and
 - f. A clear, detailed and concise written description of the common areas and facilities of the condominium shall be provided. This information shall be included on the final map.
7. The Developer shall complete the following requirements to the satisfaction of the Director of Public Works, prior to the issuance of a Final Map:

GENERAL REQUIREMENTS

- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
- b. The Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
- c. All required facilities required by the Department of Public Works not in place and accepted prior to final map approval must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
- d. The Subdivider shall submit a construction plan for pedestrian protection, construction area perimeter fencing with custom-printed screen(s), street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
- e. The Subdivider proposes new refuse and recycling receptacle locations within the improved project site. All refuse and recycling receptacles shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 8.60, including number of receptacles, receptacle specifications, and placement for collection.
- f. The Subdivider proposes architectural projection encroachments into the public right-of-way that include architectural features and awnings. Construction plans shall be submitted to the Department of Public Works for all projections over the public right-of-way to be reviewed for approval

as to compliance with California Building Code Chapter 32 and City Pedestrian Accessibility Guidelines, to the satisfaction of the Director of Public Works, prior to the issuance of a Final Map.

- g. Prior to the issuance of the Final Map, all doors, windows and/or gates shall not swing or project into the public right-of-way. All such facilities projecting/swinging into public rights-of-way shall be eliminated, or set back outside of the public right-of-way, to the satisfaction of the Director of Public Works.

PUBLIC RIGHT-OF-WAY

- h. The Subdivider shall execute an Irrevocable Offer of Dedication in a form acceptable to the City of Long Beach Public Works Department, to dedicate 2.5 feet of the development site, along the unnamed north-south alley for future widening purposes, in those areas adjacent to the proposed northerly and southerly parking lots, to the satisfaction of the Director of Public Works and prior to final map approval.
- i. The Subdivider shall execute an Irrevocable Offer of Dedication in a form acceptable to the City of Long Beach Public Works Department, to dedicate 5 feet of the development site, along the unnamed east-west alley and a 10-foot by 10-foot corner cut-off at the intersection of the east-west alley and north-south alley for future widening purposes, to the satisfaction of the Director of Public Works and prior to final map approval.

Note: The required corner cut-off shall be taken from the new property line, created once the linear dedications along the east-west and north-south alleys are accepted by the City.

- i. The Subdivider shall relocate or provide easements to the City of Long Beach for all existing or proposed public utility facilities within the private property, to the satisfaction of the City Department or public agency with interest. All easements shall show on the subdivision map.
- j. The Subdivider shall provide easements to the City of Long Beach for any City facilities including traffic signal controls, signage, required slopes, bus stops, refuse collection access, and any other public necessities, to the satisfaction of the interested Department or agency and shall show on the final map.
- k. Unless approved by the Director of Public Works, easements shall not be granted to third parties within areas proposed to be granted, dedicated, or offered for dedication to the City of Long Beach for public streets, alleys, utility or other public purposes until the final map filing with the County Recorder. If easements are granted after the date of tentative map approval and prior to final map recordation, a notice of subordination must

be executed by the third-party easement holder prior to the filing of the final map.

- I. The Subdivider shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.

OFF-SITE IMPROVEMENTS

- m. The Subdivider shall reconstruct damaged/deteriorated sections of alley pavement with Portland cement concrete, along the east-west and north-south alleys adjacent to the project site, to the satisfaction of the Director of Public Works.
- n. The Subdivider shall provide for public street lamps or install on-site alley lighting to the improved alleys adjacent to the project site, to the satisfaction of the Director of Public Works.
- o. The Subdivider shall check with the Long Beach Water Department at (562) 570-2300 and the Gas and Oil Department at (562) 570-2030 for scheduled main replacement work prior to submitting alley improvement plans to the Department of Public Works.
- p. The Subdivider shall remove unused driveways and curb cuts, or portions thereof, and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- q. The Subdivider shall reconstruct the full length of sidewalk pavement, curb and curb gutter along Orizaba Avenue and Gladys Avenue adjacent to the project site. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- r. The Subdivider shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb, curb gutter, and curb ramps adjacent to the development site along East 14th Street. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- s. The Subdivider shall demolish the existing sidewalk pavement and curb ramps located along East 14th Street at Orizaba Avenue and Gladys Avenue, adjacent to the project site, and construct new ADA compliant curb ramps to the satisfaction of the Director of Public Works.

- t. The Subdivider shall provide for new tree wells and street trees with root barriers along Orizaba Avenue, Gladys Avenue, and East 14th Street adjacent to the project site, per Section 21.42.050 of the Long Beach Municipal Code. The Subdivider and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Subdivider shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and any irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide shade coverage, after five years of growth, of 50% of the total area dedicated for public right of way.
- u. The Subdivider shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements, until final inspection of the on-site improvements by the City. Any such off-site improvements adjacent to the development site, and/or along the truck delivery route found damaged as a result of construction activities, shall be reconstructed or replaced by the Subdivider to the satisfaction of the Director of Public Works.
- v. The Subdivider shall provide for the resetting to grade of existing manholes, pull boxes, meters and other facilities in conjunction with the required off-site improvements to the satisfaction of the Director of Public Works.
- w. All rough grading shall be completed prior to the approval of the final map. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected to the satisfaction of the Director of Public Works, prior to the approval of the final map.
- x. The Subdivider shall submit grading and related storm drain plans with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes, for review and approval by the Director of Planning and Building Services and the Director of Public Works, prior to approval of the final map.
- y. The Subdivider shall install street lights at its frontage blocks where needed, with necessary lighting calculations which shall be submitted to the Director of Public Works for review and approval, prior to approval of the final map. The Subdivider shall construct, or provide for, LED cobra-head luminaries, light standards and feed point(s) in all the public streets adjacent to the proposed subdivision, to the satisfaction of the Director of Public Works and prior to final map approval.
- z. All work within the public right-of-way must be performed by a contractor holding a valid State of California Contractor's License and City of Long

Beach Business License, sufficient to qualify the contractor to do work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and endorsement evidencing minimum City of Long Beach limits of required general liability insurance.

- aa. Public improvements shall be constructed in accordance with plans reviewed and approved by Public Works. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for approval.
- bb. All conditions of approval, including cover letter signed by the Planning Officer and Case Planner, must be printed verbatim on all plans submitted for plan review to the Department of Public Works.
- cc. Prior to approving an engineering plan, all projects greater than 1 acre in size must demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the applicant must submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the Subdivider or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the State Construction General NPDES Permit or wish to obtain an application, please call the State Regional Board Office at (213) 576-6600 or visit their website for complete instructions at www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC & TRANSPORTATION

- dd. At the discretion of the City Traffic Engineer, the Subdivider shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks, or contribute a fair share fee to the City for future implementation.
- ee. The Subdivider shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
- ff. At the discretion of the City Traffic Engineer, the Subdivider shall be responsible for replacing the missing traffic sign along East 14th Street, near the westerly curb return of the north-south alley. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.

- gg. The Subdivider shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- hh. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- ii. The Subdivider shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the project site.
- jj. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

LONG TERM MAINTENANCE

- kk. The Subdivider and successors shall be responsible for the maintenance of the site drainage system and for the operation and maintenance of the private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project "Conditions, Covenants and Restrictions", and a recorded copy of said document shall be provided to the Director of Public Works.

Standard Conditions:

- 8. 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 must be recorded with all title conveyance documents at time of closing escrow.
- 9. 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).
- 10. The Director of Development Services is authorized to make minor modifications to the approved design plans or any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Planning Commission, respectively.

11. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul the approval of the City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.