

## CONDITIONAL USE PERMIT FINDINGS

220 W. 20<sup>th</sup> St.

Case No. 1801-04 (CUP18-003)

May 17, 2018

In order to approve the requested Conditional Use Permit, the Planning Commission is required to make certain findings in support of an approval decision. These findings along with staff analysis are presented below for consideration, adoption and incorporation into the record of proceedings.

**A. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;**

The Land Use Designation of the subject site is LUD 2, Mixed-Style Homes, and the zoning designation is the Neighborhood Pedestrian-Oriented District (CNP). The parking lot and garages were constructed in 1937. The General Plan does not specifically address parking lots, but allows for commercial land uses. The parking service use requires that the approval of a Conditional Use Permit be consistent in service and operate in a manner that does not adversely impact surrounding properties. The subject site is outside the Coastal Zone and not within a specific plan area.

**B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND**

The proposed parking lot meets the adopted site and location-based requirements listed in Section 21.52.219 of the Long Beach Municipal Code, and will not cause detrimental effects to the surrounding community. The adjacent zone is a Two-family Residential District (R-2-N). The current uses of the adjacent properties across the alley are multi-family and single-family residential. The project will not lead to health, safety or general welfare, or quality of life issues for the community due to the added lighting, screening, landscaping, remodeled garages, and electronic key gate access. Also, it would provide necessary parking in the parking-impacted area.

**C. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52.219.**

In addition to the required findings for a Conditional Use Permit (Section 21.25.206), the Planning Commission shall not approve a Conditional Use Permit for a parking service use unless positive findings can be made for the following:

1. The use shall be permitted only if no other reasonable alternative use of the site exists during the time period covered by the permit;

The proposed use is a reasonable use of the property in light of the fact that it has been legally permitted to have garages and has been a parking lot.

2. The use and design of the site shall not disrupt, impede or negatively affect pedestrian circulation, traffic circulation or public transportation;

The use will have a hours of operation of 24 hours, unattended, and with a secured entrance consisting of an electronic gate. In addition, the site is designated in the Title 18 and Mobility Element as parking impacted.

3. The use and design of the site shall not disrupt, impede or negatively affect the concentration of high-intensity activities; and

The changes will improve the existing conditions by adding landscaping, lighting, screening, and secure electronic fencing.

4. Attractive landscape buffering and screening shall be provided.

New landscaping will be provided to allow the parking service to be screened from the residential uses.

**D. THE RELATED DEVELOPMENT APPROVAL, IF APPLICABLE, IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.**

This standard is inapplicable to the proposed project.

**CONDITIONAL USE PERMIT  
CONDITIONS OF APPROVAL  
APPLICATION NO. 1801-04 / CUP18-003  
220 W. 20<sup>th</sup> St.  
May 17, 2018**

**Special Conditions:**

1. This Conditional Use Permit approval is for the establishment and operation of a month-to-month rental parking service use consisting of 15 single-car garages and 12 open parking spaces in the Neighborhood Pedestrian-Oriented Commercial Zoning District (CNP).
2. Each pair of tandem spaces shall be rented as a pair to a single tenant. Any modification to the allocation of parking stalls within the subject parking lot shall require the review and approval by the Director of Development Services.
3. The 15 single-car garages shall only be used for the parking of vehicles. There shall be no use of the garages for commercial or personal storage.
4. Loitering shall be prohibited. The operator/owner shall post not less than three (3) signs, less than three square feet in size, on the garage doors to discourage loitering and loud noises on site.
5. All parking facilities and loading areas shall be maintained in a neat and orderly condition and shall be clear of obstruction by any object including appliances, hobby equipment, storage of nonoperational vehicles, and the like.
6. All landscaped areas, including the parkway along 220 W. 20th St., must be maintained in a neat and healthy condition by keeping it clear of refuse, noxious weeds, and hazardous material. Any dying or dead plant materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations, subject to Special Requirements for Water Efficient Landscaping. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good, healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
7. The applicant shall have the property cleaned of trash and debris at a minimum every two (2) weeks to the satisfaction of the Director of Development Services.
8. The parking lot striping, garage paint, and wheel stops shall be maintained in good repair and in an orderly fashion.
9. The applicant shall have security cameras operating at all times. Security camera

quality, lighting, and positioning must be capable of providing facial recognition of the parking lot area. The number of cameras provided shall be sufficient to cover the entire area of the parking lot. All images must be recorded and retained for at least 30 days. The recordings shall be made available to the Police Department upon request.

10. The applicant/owner shall ensure all areas of the parking lot are adequately illuminated during the non-daylight hours. All lights shall be directed downward on to the subject lot and shielded to prevent light and glare from intruding onto adjacent lots. All lights shall be illuminated to the applicable standards of the Illuminating Engineers Society.
11. Signage identifying the parking lot for private use only (no commercial vehicle parking) shall be posted at the entrance to the parking area.
12. Sleeping, camping, or living in vehicles and/or the garages is strictly prohibited.
13. The parking of oversized vehicles is prohibited. "Oversized vehicle" shall mean a vehicle which exceeds eighty-five inches (85") high or eighty inches (80") wide or twenty-two feet (22') long on a residential street, or eighty-five inches high (85") or twenty-two feet (22') long, as determined by Department of Motor Vehicle records, exclusive of projecting lights or devices allowed by Sections 35109 or 351110 of the California Vehicle Code, as may be amended.
14. Storage of recreational vehicles, as defined in Section 21.15.2270, is prohibited.
15. The applicant shall obtain and maintain a valid City of Long Beach business license for the operation of the parking service.
16. The applicant shall be required to provide a pedestrian gate for ingress and egress.
17. Parking or storage of commercial vehicles is prohibited.

**Standard Conditions:**

18. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
19. 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 Acknowledgment 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).

20. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
21. 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, which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
22. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Planning and Building Bureaus. These conditions must be printed on the site plan or a subsequent reference page.
23. The Director of Development Services is authorized to make minor modifications to the approved plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved project. Major modifications to site operations shall be reviewed and approved by the Planning Commission.
24. Site development, including landscaping, shall conform to the approved plans on file in Long Beach Development Services. At least one set of approved plans containing Planning, Building, and, if applicable, Fire Department stamps shall be maintained at the job site at all times for reference purposes during construction and final inspection.
25. The Department of Development Services and the Long Beach Police Department shall have the authority to review the site for security issues, and said departments shall have the power to require additional security measures including, but not limited to, security guards, fencing, access control, and additional security lighting if problems develop at the site.
26. 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. This shall encompass maintenance of parking areas, site landscaping, and the perimeter of the site (including all public parkways).
27. All parking areas serving the site shall provide appropriate security lighting pursuant to Section 21.41.259. All exterior lighting shall be operated by a photocell that activates the lighting when it senses darkness. Such lighting shall be adequately shielded to prevent intrusion of light and glare upon neighboring properties. The

Chief of Police may require other security measures to be provided.

28. Any graffiti found on site must be removed within 24 hours of its appearance.
29. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
30. The applicant shall comply with all Low Impact Development (LID) measures as required by the Building Bureau.
31. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
32. 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. Saturdays: 9:00 a.m. to 6:00 p.m.; and
  - c. Sundays: Not permitted.
33. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of 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.