

EXHIBIT E

CONDITIONS OF APPROVAL
Administrative Use Permit (AUP 18-003)
621 GOLDEN AVENUE
APPLICATION No. 1805-26
December 6, 2018

SPECIAL CONDITIONS:

1. The use hereby permitted pursuant to this Administrative Use Permit on the subject property located at 621 Golden Avenue is minor automobile repair as defined in accordance with Section 21.15.290 of the Long Beach Municipal Code (LBMC).
2. All repairs shall be limited to vehicles owned or operated by the Applicant and its clients for the purpose of creating content for its media production and other business operations; no repairs shall be made on any other vehicles for any other purpose.
3. All service and repairs shall be made on private property at the subject location within the enclosed building at all times; no service or repairs shall be made on or within the public right-of-way.
4. No inoperable vehicles shall be left overnight outside of the enclosed building, in a location that blocks access to the location, or to required parking spaces.
5. Automotive hoists of any type or size shall be located and operated within a fully enclosed building.
6. All repairs shall be limited to repairs defined in Section 21.15.290 of the LBMC as stated verbatim below:
 - A. "Minor auto repair" means a place performing the following repair and maintenance services for motor vehicles:

Tune-ups. Major and minor tune-up involving spark plugs, points, condensers, valve adjustment, carburetor overhaul, adjustment of fuel injection systems, fuel pump and all necessary filters;

Lubrication. Oil changes and filter replacement, transmission and rear end oil change;

Cooling System. Remove and replace radiator and repair of same (not including core repair or replacement); replace water pump, heater and other hoses; replace thermostats; recharge air conditioners;

Drive Train. Replacement of transmission and motor support mounting; replacement of driveshaft universal bearings, center support bushing, accelerator and brake cables; minor repair of hydraulic systems; replacement of shock absorbers;

Brakes. Remove and replace shoes and brake pads; rebuild master and wheel cylinders and disc caliper; adjustment of brakes. Machine work related to turning of drums or discs;

Wheels. Adjust steering box; replacement of rubber bushings in suspension; wheel balancing; replacement of wheel bearings;

Electrical. Charge battery; remove, repair and replace starter, alternator, generator and regulator; rewiring of automobile and lights; repair or replacement of gauges; installation of radios;

Fuel System. Change gas tank; change and repair of fuel lines; replace fuel gauge sending unit; tail pipe and muffler replacement.

B. "Minor auto repair" does not include:

Cylinder head replacement;

Valve grinding or replacement;

Clutch replacement;

Repair, replace transmission, rear end, rear axles, king pins;

Body work;

Engine replacement;

Repair of fuel tank;

Radiator or heater core repair or replacement;

Painting;

Fender repair;

Engine or transmission removal; or

Repair activities that require entry into the engine other than those specifically listed as approved as minor automobile repair.

C. Any activity combining any activity in Subsection 21.15.290.A with any activity in Subsection 21.15.290.B shall be defined as "major auto repair".

7. No repair activities shall violate the city noise ordinance as defined in Section 8.80 of the LBMC.
8. No repair or outdoor activities shall be conducted between 10:00PM and 7:00AM.

9. Road testing of vehicles, vehicle demonstration or vehicle stunts performed on private property or within the public right of way in a manner inconsistent with the California Vehicle Code is prohibited.
10. There shall be no outdoor storage of automobile parts and miscellaneous equipment within the parking lot or driveway areas of the property during business hours and/or overnight.
11. Any proposed building signage requires separate review, approval, and permits.
12. The site kept free of litter at all times.
13. All graffiti (throughout the property) shall be removed within twenty-four (24) hours of appearance at the expense of the Applicant and/or Property Owner.
14. The Applicant shall comply with and maintain compliance with the City's National Pollution Discharge Elimination system (NPDES) requirements.
15. The Applicant is prohibited from causing or allowing the deposit or disposal of any hazardous substances at the property. The Applicant shall be responsible for and bear the entire cost of removal and disposal of hazardous substances introduced to the property in compliance with governing law. The Applicant shall also be responsible for any clean-up and decontamination on or off the property necessitated by the introduction of such hazardous substances. The Applicant shall indemnify, defend, and hold the City harmless from and against all liabilities, damages, claims, losses. Costs or expenses (including without limitation attorney's fees) incurred by or brought against the City in connection with or arising out of the use, storage, disposal, release or other presence of 'hazardous substance', as used herein, has the same meaning as that phrase has under Section 25359.7 of the California Health and Safety Code.
16. All parking areas serving the use shall be brought into conformance, including American's with Disabilities Act (ADA) relative to current paving, striping and lighting. All parking areas must provide appropriate security lighting and light and glare shields so as to avoid any light intrusion onto adjacent or abutting residential neighborhoods to the east.
17. All parking of vehicles related to this use shall occur on-site. Vehicle parking or storage of vehicles on adjacent streets is prohibited.
18. Commercial vehicle painting and commercial vehicle sales are not permitted.
19. The commercial washing of vehicles on-site is prohibited.
20. No vehicles parked or stored at the site shall be used as a source of parts.
21. The razor wire atop the site perimeter chain link fencing along Golden Avenue directly across from the loading dock area is prohibited per the City's Zoning Code and shall be removed no later than Friday, March 2, 2019.

22. Any proposed heating, ventilation, and air conditioning (HVAC) units shall be screened to the satisfaction of the Director of Development Services.
23. All yard areas 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 the maintenance of exterior facades of the building, designated parking areas serving the use, fences, and the perimeter of the site (including all property adjacent public parkways).
24. Cargo containers are not permitted. Existing cargo containers shall be removed no later than Friday, March 2, 2019.
25. Any proposed lighting in the parking area shall be provided in accordance with the provisions of Section 21.41.259, Parking Areas-Lighting, and conform with California Title 24 Energy requirements.
26. No loading or unloading of any materials or trailers shall be allowed within the public right-of-way or blocking any required parking space.
27. All paved areas, drive aisles and parking areas shall be maintained in a useable condition to the satisfaction of the Director of Development Services. When new paving is required, all drive aisles and parking areas shall be surfaced with a minimum six inch (6") thick reinforced concrete over compacted grade to ninety percent (90%) relative compaction, or a minimum of five inch (5") thick asphalt paving over 6 inch compacted road base, over compacted grade to ninety percent (90%) relative compaction, to the satisfaction of the Director of Development Services. All re-paving shall be conducted in a manner that minimizes dust.
28. When site grading is required, the site shall be graded to drain in accordance with the City's NPDES requirements. Adequate catch basins shall be provided to screen runoff from the site.
29. Dumping of tires, oil, transmission fluids, filters, or any other hazardous materials is strictly prohibited. The on-site treatment and/or transfer of hazardous waste shall also be prohibited.
30. The Applicant shall submit construction documents to the Development Services Department by no later than March 1, 2019.

STANDARD CONDITIONS OF APPROVAL

31. 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).

32. 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.
33. 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).
34. 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.
35. 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.
36. 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.
37. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
38. 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.

STANDARD CONDITIONS – PLANS, PERMITS, AND CONSTRUCTION:

39. 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.
40. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site

plan or a subsequent reference page.

41. Prior to the issuance of a building permit, the Applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. 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 by landscaping or another screening method approved by the Director of Development Services.
42. 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 or Planning Commission, respectively.
43. Upon plan approval and prior to issuance of a building permit, the Applicant shall submit a reduced-size (11" x 17") set of final construction plans for the project file.
44. 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.
45. Separate building permits are required for fences, retaining walls, flagpoles, and pole-mounted yard lighting foundations.
46. 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.
47. Prior to the issuance of a building permit, the Applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations.
48. All structures shall conform to the Long Beach Building Code requirements, including the ADA, as determined by the Building Bureau. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
49. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
50. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
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. Saturdays: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed

BUILDING AND SAFETY CONDITIONS

52. The Applicant shall comply with all Building and Safety Bureau requirements, including those identified in a project memorandum dated December 22, 2017. Please contact Truong Huynh, P.E., C.B.O., General Superintendent of Development Services at (562) 570-6921 for more information.

PUBLIC WORKS CONDITIONS

53. The Applicant shall comply with all Department of Public Works requirements, including those identified in a project memorandum dated December 15, 2017. Please contact Bill Pittman, Right-of-Way/Subdivision T.A.C. Coordinator at (562) 570-6996 and/or Michael Del Cid, Right-of-Way/Subdivision T.A.C. Consultant at (562) 570-7083 for more information.

