

CONDITIONS OF APPROVAL
Modification of Conditional Use Permit 1501-53
2340 West 17th Street
Application No. 1711-21 (MOD17-017)
May 3, 2018

1. The following approvals are granted for this project:
 - a. Modification of Conditional Use Permit 1501-53 to allow for approval for the expansion of an existing truck yard in the General Industrial (IG) zoning district. There would be no increase in truck parking, as the proposed expansion would maintain 49 truck parking stalls.
2. This approval and all development rights hereunder shall terminate two years from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action 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.
3. This approval 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). 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 Zoning Administrator.
4. 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.

Special Conditions:

5. Conditions of approval specific to Conditional Use Permit for the establishment of a diesel truck yard in the General Industrial (IG) zoning district, as specified in Application No. 1501-53, remain in full force and effect, unless superseded by this approval.
6. A five-foot-wide landscaping strip shall be provided along the full extent of the expanded truck yard's street frontages (W. 16th Street and W. 17th Street). These landscaped areas shall consist of drought tolerant tree and shrub plantings, and be outfitted with an irrigation system set to an electronic or solar time clock.

7. Existing site perimeter fencing shall be removed and replaced with a 12-foot-tall wrought iron fence or CMU wall located behind the required five-foot landscape setback. Barbed wire and razor wire shall be prohibited at the site, and chain link fencing shall be restricted to the site's interior.
8. No screens may be affixed to the existing or proposed wrought iron perimeter fence. The existing screen affixed to the 12-foot-high wrought iron fence shall be removed.
9. A three-foot (3') tall masonry wall, landscaped berm, or hedge shall be provided in the event parking areas abut a street frontage. See Subsection 21.41.266.C for requirements.
10. All heating, ventilation, and air conditioning (HVAC) units shall be screened to the satisfaction of the Director of Development Services.
11. 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 public parkways).
12. No transport containers will be stored onsite for more than 72 hours. Additionally, all cargo containers will be required to remain on a wheel chassis.
13. Truck repair operations at the site are prohibited. Furthermore, no trucks parked or stored at the site shall be used as a source of parts.
14. A minimum 300-square-foot office and restroom facility shall remain on the area of the property being leased as a truck yard. Adequate signage shall be placed in the truck yard area directing employees and guests to the proposed office and restroom facility.
15. The Director of Development Services, in coordination with the Department of Public Works, reserves the right to require enlargement of the site's ingress/egress points to a width deemed suitable for more efficient site access.
16. Lighting in the truck yard 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.
17. All drayage trucks associated with truck yard operations shall comply with the provisions of the Clean Truck Program.

18. The site shall maintain adequate on-site maneuvers of any truck used for the business, and shall require such trucks to enter and exit the site in a forward direction, thereby avoiding backing from or into a public street.
19. No loading or unloading of any materials or trailers shall be allowed within the public right-of-way; such activities shall occur only within the subject truck yard area.
20. 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 truck 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.
21. 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.
22. 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.
23. One (1) canopy tree shall be provided for each of the four (4) open parking spaces.
24. Detailed landscape and irrigation plans shall be submitted to the Department of Development Services for approval prior to issuance of a building permit. Such plan shall be implemented prior to the issuance of a Certificate of Use and Occupancy.
25. All landscaping and paved areas shall be maintained in a neat and orderly condition with the landscaping in a healthy condition, and free of weeds and litter. All paved areas, walls or fences shall be in good repair without broken parts, holes, potholes or litter.
26. All landscaped areas shall be provided with irrigation capable of complete coverage of the areas and designed to minimize run-off and other wasting of water. Such system shall be maintained in a fully operational condition.
27. All portions of a lot not paved or occupied by a structure shall be landscaped. All yard areas required by this Plan shall be landscaped unless utilized for a permitted use. These requirements shall apply to buildings and parking facilities constructed subsequent to adoption of this Plan.

28. The washing of trucks on-site is prohibited.
29. 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.

Building and Safety Conditions

30. 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.
31. The California Department of Housing and Community Development (HCD) administers the construction and alteration of commercial modulars, special purpose commercial modular, and multi-family manufactured homes, monitoring design and construction through third-party agencies. An insignia of approval from HCD shows that the unit complies with the laws and building standards in effect at the time the insignia of approval was issued. The City administers all onsite installation and construction work as approved through the City's plan review and inspection process. For more information regarding HCD's programs, please go to their homepage at <http://www.hcd.ca.gov/building-standards/manufactured-modular-factory-built/index.shtml>.

Public Works Conditions

32. 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.

Standard Conditions – Plans, Permits, and Construction:

33. The applicant shall comply with all comments from the Long Beach Police Department, Public Works Department, Water Department, and Building and Safety Bureau.
34. 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.
35. 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.

36. 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.
37. 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. 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.
38. 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.
39. 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.
40. 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.
41. 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.
42. 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.
43. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
44. 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.
45. 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.

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. 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, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
48. 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 the issuance of a building permit. 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. Turf shall be limited to less than 50 percent of the total landscaped area. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50 percent or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Director of Development Services.
49. For new construction, all landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted 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.
50. 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.
51. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.

52. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
53. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
54. 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.
55. 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. to 6:00 p.m.; and
 - c. Sundays: Not allowed

Standard Conditions – General:

56. 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).
57. 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.
58. 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.
59. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.

60. 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.
61. 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.
62. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
63. Any graffiti found on site shall be removed within 24 hours of its appearance.
64. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
65. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
66. 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 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.