

**CONDITIONS OF APPROVAL**

**1147 E. South Street  
Application No. 1807-08  
March 21, 2019**

1. This Conditional Use Permit approval is for the installation of a roof-mounted wireless telecommunications facility consisting of nine panel antennas, nine Remote Radio Units (RRUs), and two radio equipment cabinets located at 1147 E. South Street.
2. 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 one-year period as provided in Section 21.21.406 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 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).

**Special Conditions:**

4. All panel antennas and appurtenant equipment shall be screened behind a parapet that matches the architecture, color, and finish of the existing building. Development of the project shall commence in accordance to plans and photo simulations submitted and filed under Application No. 1807-08.
5. Placement of any temporary wireless transmitting/receiving facility on this site shall be prohibited.

**Standard Wireless Telecommunications Conditions:**

6. No cable trays or utility equipment associated with the proposed installation shall be visible from any public right-of-way. All appurtenant equipment shall be appropriately screened, and the screening shall be subject to the approval of the Director of Development Services prior to the issuance of a building permit.
7. Prior to issuance of a building permit, the City Telecommunications Bureau shall determine that the new cellular or personal communications services will not interfere with any City communication system. Approval by the City Telecommunications Bureau shall be provided to the Planning Bureau prior to the issuance of a building permit.
8. Prior to the issuance of a building permit the operator shall obtain a City of Long Beach Business License for the telecommunications site.



9. Each new cellular or personal communication station will be subject to a ten (10) year review by the Staff Site Plan Review Committee. The review will determine whether or not the originally approved number of antennas and design are still appropriate and necessary to provide adequate communication service. This review shall also evaluate the visual and aesthetic condition of the site. The site operator shall be required to make visual or aesthetic improvements to the satisfaction of the Director of Development Services.
10. The use shall not adversely affect the health, peace, or safety of persons residing or working on the premises or in the surrounding area.
11. Prior to issuance of a building permit, the applicant shall provide to the Planning Bureau a list of addresses and locations of all wireless telecommunications facilities within Long Beach owned or operated by the company that will utilize the facility that is the subject of this approval. The applicant shall also provide a map, showing each of the subject company's facilities in Long Beach, and the wireless coverage provided by each facility. The intent of this requirement is to facilitate Planning Bureau analysis of co-location opportunities between wireless carriers.
12. Prior to issuance of a building permit, the applicant shall provide to the Planning Bureau contact information for the party or parties responsible for maintenance of the approved wireless facility in the event that it becomes discolored, deformed, damaged or dilapidated. Upon notification by the Department of Development Services or its designee that said facility has become discolored, deformed, damaged or dilapidated, the responsible party shall commence all necessary repairs and renovations within 72 hours of notification.
13. If any wireless operator seeks a modification or new approval of any wireless site on this property, all wireless equipment on this property, for both roof/building-mounted sites and pole-mounted sites, shall be evaluated for co-location and visual improvement opportunities, to the satisfaction of the Director of Development Services.
14. The addition or replacement of any antennas, equipment cabinets, cable runs, screening, or any other materials not specifically identified on plans approved by the Department of Development Services shall require a new application for a modification of this approved permit.
15. Should use of the wireless facility and appurtenant equipment cease, they shall be removed to the satisfaction of the Director of Development Services within 90 days of discontinuance of use.
16. If antennas are not screened completely by a visually solid wall, the attachment structure to which each panel antenna is affixed (typically, but not limited to, a metal pipe) shall not extend above or below the panel antenna and shall not be outwardly visible. At positions in antenna arrays where no panel antennas are installed, these attachment structures (metal pipes, etc.) shall not be installed



onto the larger array support structure. The purpose of this requirement is to prevent the negative visual impact created by unnecessary structures in the antenna arrays.

17. This wireless facility shall not be operational ("on air") until issuance of a Certificate of Occupancy by the Department of Development Services. Approval of an Electrical Permit or a final inspection on an Electrical Permit shall not constitute authorization to make the facility operational. If the site is found to be operational, or suspected to be operational, before issuance of a Certificate of Occupancy, the Department of Development Services shall be authorized to require disconnection of electrical power to the radio transmitting/receiving equipment until a Certificate of Occupancy is issued. Failure to comply with an order to disconnect electrical power shall cause the City to initiate revocation and termination procedures of all rights granted herewith.

**Standard Conditions:**

18. 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.
19. 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.
20. 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.
21. 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).
22. 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.
23. The plans submitted for plan review must 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.



24. The Director of Development Services is authorized to make 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.
25. 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.
26. 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.
27. 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.
28. 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 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).
29. Any graffiti found on site must be removed within 24 hours of its appearance.
30. 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, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Development Services.
31. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
32. 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.
33. 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.
34. 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.





35. Separate building permits are required for fences, retaining walls, flagpoles, and pole-mounted yard lighting foundations.
36. 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.
37. 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
38. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
39. Applicant shall defend, indemnify, and hold harmless, the City and its boards, commissions, agents, officers, and employees (collectively "City") from any claims, actions, or proceedings (individually referenced as "Claim" and collectively referred to as "Claims") filed against the City to attack, set aside, void, or annul the approval of the subject CUP or related entitlements, or any Claims brought against the City due to acts or omissions in any way connected to the Applicant's project. City shall promptly notify the Applicant of any Claim and shall cooperate in the defense of the Claim. Applicant shall be responsible to pay any and all costs of defending any claims brought against the City including any and all costs, including attorney's fees, incurred by the City in defense of the Claim or Claims.

