

**CONDITIONAL USE PERMIT
CONDITIONS OF APPROVAL
625 West Anaheim Street
Application No. 1908-24 (CUP19-035)
February 6, 2020**

1. Establish an indoor aquatic farm in a 23,400-square-foot industrial building, and new parking and landscaping improvements in accordance with plans submitted and filed under Application No. 1908-24 included as Exhibit B of the related Planning Commission staff report for February 6, 2020.
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 two-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).

Special Conditions:

4. All signage shall be reviewed for a separate permit and must comply with the Long Beach Municipal Code, Chapter 21.44 on-premise signs.
5. All Operations shall occur within the building. No outdoor uses shall be allowed.
6. Noise levels shall not exceed applicable noise standards specified in Long Beach Municipal Code Section 8.80.150 – Exterior Noise Limits.
7. All rooftop mechanical equipment shall be fully screened from public view. Said screening must 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 must be submitted for approval by the Director of Development Services prior to the issuance of a building permit.
8. Prior to issuance of a building permit, the applicant must submit landscape plans. The landscape plan shall be in full compliance with Section 21.42 of the Municipal Code.

9. Prior to the issuance of a building permit the applicant shall obtain permits for the removal of unused curb cuts.
10. Trash shall be picked up as frequently as a daily basis to ensure that there are no smells or nuisance due to the nature of the use.
11. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
12. Prior to a Certificate of Occupancy, the applicant shall work with the Long Beach Environmental Services Bureaus, Public Works to come up with a plan for waste disposal.
13. Odor Control – due to the nature of the operation, the applicant shall implement an environmental control system that is adequately compatible with any odor control prevention and ventilation systems at the site. For purposes of this condition, "adequately compatible" means that any environmental control systems and odor control systems operating at the site operate concurrently to prevent odors from being detected outside the site, while still allowing for the permittee to successfully harvest shrimp to the satisfaction of applicable construction codes and the Director of Development Services.
14. Design Professional. The specific scope of work for the proposed project will require a licensed professional to design the building's fire-life safety and structural systems. As such, the Applicant will be required to obtain the service of a registered design professional (e.g., Architect, Civil Engineer, Structural Engineer, etc.) licensed in the State of California to analyze, design, prepare, sign and stamp the construction documents as part of the plan review and permitting process. The subsequent approval of the proposed project will be contingent upon the satisfaction of this requirement. For more information on this requirement, please see Information Bulletin BU-013 Policy on When a Registered Design Professional is Required at:
<http://www.longbeach.gov/lbds/building/inspection/ib/>
15. Prior to a Certificate of Occupancy, the applicant shall repaint areas, visible to the public right-of-way, where paint is deteriorating.
16. All applicable State and Federal Licenses and reviews for the proposed use need to be approved before a Certificate of Occupancy is issued.

Standard Conditions:

17. All conditions of approval must be printed verbatim on a reference sheet in all plan sets submitted for plan review to the Department of Development Services.

18. 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.
19. 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).
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. 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 Site Plan Review Committee.
22. 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.
23. Prior to the issuance of a building permit, the Developer shall submit a revised set of plans reflecting all design changes set forth in the conditions of approval, to the satisfaction of the Director of Development Services.
24. 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.
25. The Developer 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.
26. Prior to the issuance of a building permit, the Developer 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.
27. 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.

28. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
29. Any graffiti found on site must be removed within 24 hours of its appearance.
30. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
31. 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
32. The Applicant/Developer(s) shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the Applicant/Developer(s) of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the Applicant/Developer(s) of any such claim, action or proceeding or fails to cooperate fully in the defense, the Applicant/Developer(s) shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.
33. Use and Occupancy. The Applicant needs to determine the anticipated use and occupancy of the building or structure, or portion thereof, and classify the use and occupancy into one or more distinct occupancy classifications in accordance with the CBC Chapter 3. This information will assist the Applicant to determine if individual occupancies are required to be separated from adjacent occupancies in accordance with the CBC Table 508.4. Other applicable requirement of the code may apply that is based upon the proposed occupancy classification.

The proposed project appears to be a S1/S2/F1/F2 occupancy. Additional analysis should be provided to substantiate the proposed use and occupancy classification as the initial assumption provided herein is based upon limited information.

34. Change of Use or Occupancy. No change shall be made in the existing use or occupancy of the proposed project unless such existing building is made to comply with the requirements of the California Building Code for the new use or occupancy.

35. The Department of Public Works submits the following requirements for the proposed development referenced in the above subject line. The Applicant must comply with all requirements noted below.

GENERAL REQUIREMENTS

- a. Prior to the start of ANY demolition, excavation, or construction, the Developer shall,
 - i. Submit a construction plan for pedestrian protection, construction staging, scaffolding and excavations, and
 - ii. Submit a traffic control plan with street lane closures and routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.) prepared by a registered Civil or Traffic Engineer in the State of California, with wet seal and signature, and
 - iii. Submit a plan for construction area and/or site perimeter fencing with custom printed screen(s),
 - iv. All for review and approval by the Department of Public Works and installed in accordance with the latest version of the Public Works Development Guideline.

Work, including hauling soils or other debris, is not allowed within the right-of-way without a valid Public Works permit. The Developer shall comply with all requirements outlined within the latest version of the Public Works Development Guideline and all referenced standards at the time of application submittal.

- b. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to Public Works for review and approval. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. This is in addition to any plan check required by the Department of Development Services.
- c. The Applicant shall construct all off-site improvements needed to provide full Americans with Disabilities Act (ADA) accessibility compliance within the public right-of-way adjacent to the project site. At this stage in the entitlement process the plans are conceptual in nature, and Public Works plan check is required for in-depth review of ADA compliance. As determined during the plan check process, the Applicant shall dedicate and improve additional right-of-way necessary to satisfy unfulfilled ADA requirements.
- d. 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.

PUBLIC RIGHT-OF-WAY

- e. There are approximately six (6) diagonal parking stalls for private use at the subject location, which appear to encroach into the public right-of-way near the apparent entrance to the building (west of the door addressed with "625") that are not in compliance with the Americans with Disabilities Act requirements because they force pedestrians and other disabled citizens into the street, when the parking is in use. The Applicant shall remove the encroachment by eliminating the parking at this location and shall construct new 15-foot-wide sidewalk pavement, curb and curb gutter, where no sidewalk pavement currently exists, along West Anaheim Street adjacent to the project site, from the corner with Daisy Avenue to the proposed driveway into the proposed new parking area, to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- f. Per the submitted site plan, the Applicant proposes construction within the vicinity of an existing flood control easement and an abandoned oil pipeline traversing the site from approximately the northeast quadrant of the site through the southwest quadrant. The Applicant shall be responsible for resolving all matters of easement, utility line, and/ or pipeline encroachment to the satisfaction of the interested agency, entity, City Department, and the Director of Public Works.

OFF-SITE IMPROVEMENTS

- g. The Applicant shall remove all unused driveways and curb cuts, or portions thereof along West Anaheim Street, and replace with full-height curb, curb gutter and sidewalk pavement to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- h. The Applicant shall construct new 15-foot-wide sidewalk pavement, curb and curb gutter, where no sidewalk pavement currently exists, along West Anaheim Street adjacent to the project site, from the corner with Daisy Avenue to the new proposed driveway into the proposed new parking area, to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- i. As shown on the submitted site plan, the Applicant shall provide for a 5-foot-wide parkway along the sidewalk on West Anaheim Street, along the project's entire frontage on that right-of-way, complete with new tree wells, street trees with root barriers, ground cover and irrigation system, per Section 21.42.050 of the Long Beach Municipal Code. The Applicant and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Applicant 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.

- j. The Applicant shall install Custom Printed Flex Mesh screen(s) along the perimeter of the development site, such as FenceScreen.com Series 311, or equivalent, fence screening, and provide for the printed graphic to the satisfaction of the Director of Public Works. The graphics shall depict positive images of the City or other artistic concepts. Prior to submitting the graphic design for printing, the Developer shall consult with the Department of Public Works to review and approve.

TRAFFIC AND TRANSPORTATION

- k. The size, configuration and location of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer.
- l. The Applicant shall install new continental style crosswalks, using thermoplastic materials, at the intersection of West Anaheim Street and Daisy Avenue, per the latest City standards and to the satisfaction of the City Traffic Engineer.
- m. The Applicant shall protect or replace/repaint all traffic signage, markings and colored curb within the public right-of-way adjacent to the project site.
- n. All traffic control device installations, including pavement markings within the private parking area, shall be installed in accordance with the current edition of the California Manual on Uniform Traffic Control Devices (CA MUTCD).