

**ADMINISTRATIVE USE PERMIT  
CONDITIONS OF APPROVAL  
Case No. 2004-08 (AUP20-004)  
6090 Long Beach Boulevard  
June 17, 2021**

1. This Administrative Use Permit is to allow the sale of diesel fuel. The diesel fuel sales would be in conjunction with a future convenience store and gas station within the Community Commercial Automobile-Oriented (CCA) Zoning District (District 9).
2. The diesel fuel sales may only be in combination with a gas station and convenience store and is not approved exclusively for diesel fuel sales.
3. The convenience store shall dedicate a minimum of sixty (60) linear feet of shelving to healthy foods. Healthy foods as defined by the Center for Disease Control includes fresh fruits, vegetables, whole grains, and fat-free or low-fat milk and milk products. Generally, healthier foods will include fruits, vegetables, whole grains, fat-free and low-fat dairy products, and seafood, as well as foods with less sodium (salt), saturated fats, trans fats, cholesterol, added sugars, and refined grains. Healthier beverages include fat-free or low-fat milk and milk products, fortified soy beverages and other lactose-free products, 100% juice, and water.
4. Light from fixtures shall not spill onto adjacent properties.
5. The convenience store shall install an automatic shut-off for air compressor. The air compressor shall not operate outside of the 7 a.m. to 5 p.m. hours.
6. Noise generated from the subject site shall be subject to compliance with the City's adopted Noise Ordinance.
7. The use of outdoor speakers of any kind including speakers on monitors or television screens at fuel pumps is prohibited.
8. The applicant shall provide two (2) additional trash receptacles along the storefront and two (2) trash receptacles on the southeast and southwest corners of the property.
9. The trash receptacles shall be emptied no less than once per week.  
  
The applicant shall maintain the premises and abutting sidewalk and parkway free of litter. The applicant shall remove trash from the site and abutting right-of-way not less than two times a day.
10. The operator shall not dispose of trash between the hours of 7 a.m. to 10 p.m.

11. Loitering shall be strictly prohibited. The applicant shall post "no loitering" signs on the premises in both English and Spanish.
12. The applicant shall coordinate with the school district on truancies. Staff shall be trained to report unaccompanied minors who are present during school hours to the school district or other designated school district contact.
13. The operator shall not permit vending machines, water machines, games, rides, etc. on the exterior of the building.
14. The proposed project is located along a designated Safe Route to School. The applicant shall not encroach within the right-of-way except with an encroachment permit to complete the necessary abutting improvements within the right-of-way. Construction which requires the closure of the sidewalk shall be minimized and completed outside of school year calendar and/or operating hours to the extent feasible.
15. No vehicle access shall be taken to the site from the property frontage along Gordon Street and Cambridge Street.
16. No on-site idling shall be permitted for vehicles queuing for pumps dispensing diesel fuel. The applicant shall post informational signs reminding patrons not to idle their vehicles.
17. No overnight parking or on-site maintenance of truck tractors or truck trailers shall be permitted.
18. The applicant shall construct an eight (8) foot high block wall along the rear property line abutting the alley.
19. No exterior telephones or security bars on windows or doors shall be permitted.
20. All graffiti shall be removed within 24 hours by the property owner.
21. The operator shall maintain exterior video security cameras at the front and rear of the business (including the alley) with a full view of the public right-of-way. The cameras shall record video for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department (LBPD). A Public Internet Protocol (IP) address and user name/password to allow LBPD to view live and recorded video from the cameras over the Internet is also required. All video security cameras shall be installed to the satisfaction of the Police Chief, Director of Technology Services, and Director of Development Services.
22. On-site signage shall be installed along the alley prohibiting queuing of all vehicles along the alley to the satisfaction of the Director of Development Services.

23. Prior to the issuance of Certificate of Occupancy, on-site signage shall be installed at all diesel pumps prohibiting all vehicles larger than Class C passenger vehicles for pumps dispensing diesel fuel.
24. Prior to permit final, an eight-foot-high solid split-faced masonry wall shall be installed along the east property line.
25. The proposed use shall be subject to an annual inspection as required by the Long Beach Municipal Code Section 21.25.412 for review of compliance with the conditions of approval. The applicant shall be required to pay an inspection fee as established by the City Council adopted fee schedule. The annual review shall be required at the time of the annual business license renewal.

### Standard Conditions

26. This permit and all development rights hereunder shall **terminate three years** from the effective date of this permit unless a business license is established, 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.
27. 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). Prior to the issuance of any required building permit, the applicant shall submit a revised set of plans reflecting all the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
28. 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.
29. In the event of a **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of the 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 the time of closing escrow.

30. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
31. 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/alter the approved design/project. Any major modifications shall be reviewed by the Site Plan Review Committee or Planning Commission, respectively.
32. Any construction shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
33. 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
34. The applicant 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 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 of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.