

# CONDITIONAL USE PERMIT

## CONDITIONS OF APPROVAL

245 West Wardlow Road

Application No. 1912-09 (CUP19-044)

August 5, 2021

### Special Conditions:

1. This Conditional Use Permit to operate a community assembly use for religious worship within a new, one-story chapel within the Moderate-Density Multiple Residential (R-4-R) Zoning District.
2. Noise levels generated by the proposed use shall conform to the requirements of Chapter 8.80 of the municipal code for residential use.
3. The proposed meditation garden shall not be used for meeting, services or other activities involving groups.
4. No amplified sound shall be used outside.
5. Proposed signage shall be subject to the sign types restrictions specified for the CNP, CNA, and CNR districts.
6. This permit and all development rights hereunder shall terminate three 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.
7. 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).

### Standard Conditions – Plans, Permits, and Construction:

8. 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.
9. 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.

10. 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.
11. 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.
12. 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.
13. 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.
14. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.

20. 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.
21. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
22. 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

**Standard Conditions – General:**

23. 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 must 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.
24. 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.
25. 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).

26. 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.
27. 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.
28. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
29. Outdoor storage is strictly prohibited.
30. Any graffiti found on site must be removed within 24 hours of its appearance.
31. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
32. 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.
33. The Department of Public Works submits the following requirements for the proposed development. The Applicant must comply with all requirements noted below.

### **GENERAL REQUIREMENTS**

- a. Prior to the start of ANY demolition, excavation, or construction, the Applicant 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 Applicant 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. Doors and/or gates shall not swing or project into the public right-of-way. All door openings swinging into public rights-of-way shall be eliminated, to the satisfaction of the Director of Public Works.
- c. The Applicant is proposing a refuse and recycling receptacle area as part of the proposed development. All proposed refuse and recycling structures and receptacles must be placed entirely on private property, outside of the public right-of-way. The Applicant and/ or successors shall be responsible for the cleanliness of the sidewalk/roadway adjacent to the refuse and recycling area and the overall development.
- d. The Applicant shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way, to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, as determined during the plan check process, the right-of-way dedication way shall be provided.
- e. 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 the Public Works counter at the Permit Center on the 2nd Floor of City Hall (411 W. Ocean Blvd., Long Beach, CA 90802)**, for review and approval. The City's Public Works Engineering Standard Plans are available online at [www.longbeach.gov/pw/resources/engineering/standard-plans](http://www.longbeach.gov/pw/resources/engineering/standard-plans). **This is in addition to, and separate from, any plan check required by the Department of Development Services, Building & Safety Bureau.**
- f. 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 to the Department of Public Works.

#### **PUBLIC RIGHT-OF-WAY**

- g. The Applicant shall dedicate and improve an additional 7 feet of right-of-way for sidewalk purposes along West Wardlow Road, adjacent to the project site, resulting in an improved 12-foot wide public sidewalk (inclusive of a 5-foot wide planted and irrigated parkway adjacent to the curb) per the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. A complete application along with all required items plus filing fee shall be submitted for review and processing.

- h. The Applicant shall be responsible for resolving all matters of easement(s) and/ or utilities encroachment to the satisfaction of the interested agency, City Department, and the Director of Public Works.

### **OFF-SITE IMPROVEMENTS**

- i. The Applicant shall improve the 7-foot-wide sidewalk dedication areas along West Wardlow Road, adjacent to the project site, to the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- j. The Applicant shall reconstruct the alley curb intersection at West Wardlow Road to align with the new sidewalk widening, to the satisfaction of the Director of Public Works. The Applicant shall construct the alley intersection to meet full ADA compliance. Alley intersection improvements shall be constructed with Portland cement concrete.
- k. The Applicant shall demolish the existing sidewalk along West Wardlow Road adjacent to the project site and improve that area with a 5-foot wide parkway, adjacent to the curb, with new grass or drought-tolerant accent shrubbery and permeable groundcover such as decomposed granite as described in Section 21.42.050 of the Municipal Code.
- l. The Applicant shall provide for tree wells, new street trees with root barriers and irrigation along the new 5-foot wide parkway to be installed along West Wardlow Road adjacent to the project site. 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.
- m. The Applicant shall demolish the existing sidewalk and curb ramp located on the corner of Cedar Avenue and West Wardlow Road adjacent to the project site and construct a new ADA compliant curb ramp, including truncated domes. Sidewalk and curb ramp improvements shall be constructed with Portland cement concrete, to the latest City standards and to the satisfaction of the Director of Public Works.
- n. The Applicant shall install new street lights along the service road north of West Wardlow Road with necessary lighting calculations for the proposed street lighting system, which shall be submitted to the Director of Public Works for review and approval prior to issuance of the final Certificate of Occupancy. The lights may be installed in the new 7-foot wide dedicated sidewalk or the medians separating the service road from West Wardlow Road. The Applicant shall construct or provide

for high pressure sodium luminaires/LED cobra-head luminaires, light standards and feed point(s) in all of the public and private streets and alleys within and adjacent to the proposed project, to the latest City Standards and to the satisfaction of the Director of Public Works.

- o. The Applicant shall provide for or install alley lighting in the north south alley adjacent to, and along the eastern boundary property line of the project site, to the satisfaction of the Director of Public Works.
- p. The Applicant shall check with the Long Beach Water Department at (562) 570-2300 and the Gas and Oil Department at (562) 570-2030 for scheduled main replacement work prior to submitting any improvement plans to the Department of Public Works.
- q. The Applicant shall protect in place the existing parkways and street trees within the Cedar Avenue right-of-way adjacent to the project site, during construction of any off-site improvements within that right-of-way.
- r. The Applicant shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter adjacent to the project site along Cedar Avenue, to the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- s. The Applicant proposes improvements that may impact existing under- and above-ground utilities adjacent to the project site, such as a fire hydrant and street light conduits, along the perimeter streets and alleyways adjacent to the project site. The Applicant shall be responsible for all design, applicable utility approval, permitting, relocation work, easements relocation and commissioning as required by the interested agency and shall work with each utility directly.
- t. The Applicant shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements, until final inspection of the on-site improvements by the City. All off-site improvements adjacent to the development site, and/or along the truck delivery route found damaged as a result of construction activities, shall be reconstructed or replaced by the Applicant, to the satisfaction of the Director of Public Works.
- u. The Applicant shall provide for the resetting to grade of existing manholes, pull boxes, and meters in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- v. The Applicant shall submit a grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes, for review and approval by the Director of Planning and Building Services and the Director of Public Works, prior to approval of the map and/or release of any building permit.

- w. The Applicant shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
- x. Prior to approving an engineering plan, all projects greater than 1 acre in size must demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the Applicant must submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the Applicant or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the State Construction General NPDES Permit or wish to obtain an application, please call the State Regional Board Office at (213) 576-6600 or visit their website for complete instructions at [www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml).

#### **TRAFFIC AND TRANSPORTATION**

- y. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Driveways greater than 28 feet require a variance; contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- z. The Applicant shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
- aa. The Applicant shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- bb. The Applicant shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- cc. The Applicant shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
- dd. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).



