

CONDITIONS OF APPROVAL

Site Plan Review (SPR) and Local Coastal Development Permit (LCDP)

6700 East Pacific Coast Highway

No. 2008-36 (SPR 23-093 and LDCP22-051)

April 20, 2023

Special Conditions:

- 1) The following approvals are granted for this project:
 - a. Site Plan Review for the development of a six (6) story residential apartment building with 281 dwelling units, with approximately 3,100 square feet of ground floor retail/commercial space on an approximately 2.614-acre site area in the Mixed-Use Community Core (MU-CC) within the Southeast Area Specific Plan (SEASP) (SP-2).
 - b. Per State Density Bonus law, the proposed development shall have and maintain a minimum of thirteen (13) units designated at the very low-income affordability level.
 - c. Per State Density Bonus Law, waivers/concessions have been granted by the Site Plan Review Committee enabling the project to: (1) exceed the maximum allowable height in the SEAP MU-CC Zoning District, (2) exceed the maximum allowable floor area ratio of 2.0; and (3) to have tandem vehicular parking.
 - d. Local Coastal Development Permit for the scope of work covered under the Site Plan Review on a property that is located within the Appealable Area of the California Coastal Zone.
 - e. Acceptance and approval of a Compliance Checklist to the Southeast Area Specific Plan Program EIR (PEIR) (SCH#2015101075) determining that the project will not result in any new significant impacts that exceed those already analyzed in the SEASP PEIR and requiring this project to comply with the Mitigation Monitoring and Reporting program of the SEASP PEIR.
- 2) The Applicant shall provide a minimum of thirteen (13) dwelling units, within the project as affordable housing at the very low-income area median income. The availability and affordable status of these units shall be guaranteed as required by the California Government Code Subsection 65915, to the satisfaction of the Director of Development Services for a period not less than 55 years.
- 3) The affordable housing units provided through State Density Bonus law shall be evenly distributed throughout the residential levels shown in the plan set, including the upper floors, and shall be generally reflective of the mix of unit sizes and number of bedrooms in the overall project. Applicant shall indicate which units will be designated at the affordable units on the plan set submitted for plan check.

- 4) Affordable housing units shall be comparable to market-rate units in terms of design, interior finishes and accessibility to common interior and exterior open space areas.
- 5) Affordable units shall have equal access to all of the on-site amenities.
- 6) The Applicant and the City will enter into an Affordable Housing Regulatory Agreement, in a form approved by the City Attorney, that memorializes the Affordable Housing requirements to be imposed on a Rental Residential Development.
- 7) The Affordable Housing Regulatory Agreement must be recorded in first lien position on legal title to the Rental Residential Development prior to the approval of any final or parcel map or Building Permit for the Rental Residential Development, whichever occurs first.
- 8) The Applicant will be responsible for having the Affordable Housing Regulatory Agreement notarized and recorded with the Los Angeles County Recorder's Office. The Applicant will be responsible for paying any fees imposed by the Los Angeles County Recorder's Office to record the Affordable Housing Regulatory Agreement. The Applicant must provide a certified copy of the recorded Affordable Housing Regulatory Agreement to the City within 48 hours of being recorded at the Los Angeles County Recorder's Office.
- 9) Applicant shall coordinate with the City of Long Beach Housing & Neighborhood Services Bureau to market the affordable units to promote equitable access. This includes conducting marketing activities that may be required by the City, such as advertisements, language translation of promotional/application materials, and/or community outreach activities.
- 10) The Applicant shall pay the annual review and monitoring fee required for monitoring of the affordable units, per the fee resolution adopted by the City Council.
- 11) Applicant shall comply with the SEASP policies, as applicable, referenced and included herein with these conditions of approval as Attachment A, entitled *SEASP Policy Applicability*.
- 12) A minimum of 507 parking stalls shall be permanently maintained and operational within the parking structure. The number of Electric Vehicle (EV) charging stations and spaces shall meet California Green Building Standards Code Chapter 5 Section 5.106.5.3 requirements.
- 13) A covenant as prepared and approved by the City Attorney's office shall be recorded against the property at the Applicant's expense guaranteeing public

access along the waterway and San Gabriel River. Signage shall be posted and maintained that identifies public access is permitted.

- 14) Prior to the issuance of a Certificate of Occupancy, the applicant shall coordinate with the Department of Public Works Transportation Mobility Bureau and the Los Angeles County Flood Control District for the installation of or financial contribution to the installation of bicycle access point enhancements and/or signage, to the satisfaction of the Director of Development Services, or designee at the San Gabriel River Bicycle Path entrance abutting the eastern property line of the site.
- 15) The project shall be developed in substantial conformance with the plans reviewed by the Planning Commission on April 20, 2023, except as amended herein. Each project component shall be designed and constructed as depicted on these plans, maintaining the same architectural style, quality of materials, and consistency of design. Minor changes to the approved project design consistent with the project approval shall require, at a minimum, an additional review by Planning staff for Substantial Conformance to the approved plan set, or review by the Director of Development Services for the approval of minor modifications. Significant alterations (as defined in Section 21.21.405) shall require additional review by the Planning Commission.
- 16) Architecture, design, and materials of the project as a whole shall comply with the following:
 - a. No rough-finish stucco is permitted, and all stucco finish shall be the smooth plaster finish per the elevations in the most recent plan set. Hand application stucco is encouraged and preferred on enhanced elevations and on community buildings.
 - b. All windows shall consist of high-quality materials. White vinyl windows shall be prohibited along the exterior elevations that are visible to the public from the right-of-way, and for vinyl windows, frame color shall complement the design of each building. Windows and doors should have an inset of at least 3 inches into the building wall, as approved, to create sufficient shadow reading on elevations.
 - c. No low-quality or inauthentic architectural detail elements are permitted. Details shall be high-quality materials and shall be consistent with the tradition of the selected architectural styles.
- 17) The Applicant shall hold a competition for artists (preferably Long Beach Artists) to design the proposed mural along the East Pacific Coast Highway Elevation. The mural should have a theme which compliments the architecture of the building, be the general size of the area on the approved elevation rendering and be low maintenance.

- 18) Any murals outside of the proposed mural along the East Pacific Coast Highway elevation on the project site shall be submitted for review and approval by the Director of Development Services prior to installation.
- 19) Each residential building and dwelling unit shall be designed and constructed to maintain a 45 dBA community noise exposure level (CNEL) or less in building interiors.
- 20) Pile-driving as a means of construction is explicitly prohibited during all phases of construction.
- 21) All forms of barbed wire and razor wire shall be prohibited on the site.
- 22) The Applicant shall provide for the construction of trash receptacle areas of sufficient number and size to meet all reasonably foreseeable refuse needs of the residential units, commercial space, common areas, amenities, and public areas of the project. All trash receptacle areas shall be located and constructed in accordance with Section 21.45.167 of the Zoning Regulations.
- 23) All trash receptacles, including receptacles for recycling and for organics, shall be stored in the designated trash areas shown on approved plans. Trash receptacles shall be moved to the exterior pickup location only on collection day(s) and shall not be stored or kept outside or in the public right-of-way except as needed on collection day(s).
- 24) All bicycle racks on-site and in off-site improvements shall conform to the guidance in "Essentials of Bike Parking" by the Association of Pedestrian and Bicycle Professionals.
- 25) Any exterior on-site newsstands and racks (including free publications, classifieds, etc.), vending machines, donation bins, and publicly-accessible telephones shall be prohibited, and any existing ones shall be removed.
- 26) Any trees removed or replaced on the development site shall be replaced at a ratio of no less than two-to-one (2:1) to the greatest extent feasible.
- 27) Street trees shall be provided on all street frontages adjacent to the project site, at a tree spacing of not more than 25 feet on-center. Street trees shall be of a species approved by the Department of Public Works in accordance with the tree species requirements for that segment of Pacific Coast Highway. Street trees shall be installed under a right-of-way permit from the Department of Public Works and/or the California Department of Transportation (CalTrans).
- 28) All on-site landscaping and improvements and all off-site improvements shall be completed prior to approval of a final building inspection or certificate(s) of occupancy for any residential units in the final phase of the development.

- 29) Prior to issuance of a grading or demolition permit (whichever occurs first), the Applicant shall submit a proposed haul route/trucking route for all construction truck trips for review by the Director of Development Services and the City Engineer. The Director of Development Services and/or City Engineer may modify this proposed haul route/trucking route prior to its approval, as they deem necessary to protect the public safety and welfare, and to prevent negative impacts upon neighboring uses. Said modifications (if any), approval, and enforcement shall be binding upon all hauling activities and construction truck trips by the Applicant.
- 30) The Applicant shall abide by and enforce the haul route/trucking route approved by the Director of Development Services and City Engineer. Failure to do so shall cause the City to issue a stop work order and withhold issuance of further construction permits, inspections, or certificates of occupancy, until such time as the Director of Development Services and City Engineer determine the Applicant's hauling practices to be remedied.
- 31) Minor changes to these approved plans, in keeping with the intent and spirit of the project approvals, may be approved at the discretion of the Director of Development Services. For any major changes, including changes to building/architectural materials, on-site improvements, site plan or layout, landscaping, or other significant items (including deviations from any of these conditions of approval), the Applicant shall be required to submit an application for a Modification of Approved Permit – Site Plan Review Committee Approval level.
- 32) 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.
- 33) The Applicant shall provide for all CPTED (crime prevention through environmental design) recommendations issued for the project by the Long Beach Police Department, in the memo dated February 3, 2022, which by this reference is made a part of these conditions of approval.
- 34) Each pair of tandem vehicular parking stalls shall be assigned to the same dwelling unit. Each pair of residential tandem parking spaces shall be assigned to one dwelling. Use of tandem parking spaces for non-residential or guest parking shall be prohibited, except for valet parking operations.
- 35) All refuse collection from the building shall take place within the existing building envelope, with all trash receptacles being moved internally within the project site to Studebaker Road for collection. Refuse collection and the movement of trash receptacles on Marina Drive or Pacific Coast Highway shall be prohibited. Trash receptacles shall be collected and serviced with the frequency needed to avoid an unsightly and undesirable buildup of refuse at each trash receptacle.

- 36) The applicant shall inform all tenants of restrictions regarding loading activities by means of incorporating said language into leasing agreements.
- 37) One or several central satellite television/data receiver dish(es) shall be located on the roof of the building or in another utility area so that a separate satellite receiver dish is not needed for each residential and commercial unit.
- 38) The Applicant shall confer and work with the Department of Public Works regarding the construction and development of an entry point from Pacific Coast Highway and the subject site to the San Gabriel River Bike Trail. The San Gabriel River Bicycle Trail shall be improved per the development standards of the Public Works Department.
- 39) The project shall be developed in substantial conformance with the plans presented to the Planning Commission on April 20, 2023. Each project component shall be designed and constructed as depicted on these plans, maintaining the same architectural style, quality of materials, and consistency of design, including, but not limited to, the following items:
 - a. Smooth Plaster Finish
 - b. Plaster
 - c. Cement Board System
- 40) Where stucco is used on the building, the stucco shall maintain a smooth finish.
- 41) No portion of the exterior cladding, siding or building components shall have siding with a reflective surface that produces glare.
- 42) Pursuant to SEASP requirements, all new structures shall demonstrate eligibility for and conformity with the United States Green Building Council Leadership in Energy and Environmental Design (LEED) Silver certification. Prior to issuance of any project-related building permits, the applicant shall submit proof of registration with USGBC and a password allowing staff access to said registration or provide proof by a third party as meeting the intent of LEED at the level required.
- 43) Prior to the issuance of a Certificate of Occupancy, proof of payment of the Sensitive Coastal Resource Impact Fee as outlined in Chapter 18.19 of the Long Beach Municipal Code (Ordinance No. ORD-22-0032).
- 44) Native American Monitoring shall be consistent with and in compliance with the mitigation measures as noted in the SEASP Program EIR Mitigation Monitoring Program.
- 45) Prior to the issuance of a Certificate of Occupancy, the applicant and/or property owner shall submit a final public areas management program, subject to the review and approval of the Zoning Administrator, that protects the rights of the public to enter and use the public open space areas. The program shall incorporate the following:

- a. Public Access Signage Plan. The signage plan shall clearly describe, at a minimum, the dimensions, material(s), text, and font of each sign and/or stencil and a site plan depicting the location of each sign and/or stencil. The signs shall facilitate, manage, and provide public access to the public open space areas, including identification of all public features that will be provided on the site (seating, picnic areas, etc.) and allowable uses of the public areas. The signs shall be conspicuously sited to maximize visibility from the public walkways abutting the project site without adversely impacting public views and visual resources.
 - b. The final plans shall provide a mechanism for the Zoning Administrator to review and approve minor sign changes. Changes may only be granted if such changes will not adversely impact, and/or will enhance coastal resources, including coastal access (e.g., modifying the signage to be clearer to the public and/or more aesthetically pleasing)
 - c. The signage plan shall include wayfinding signage that includes, but is not limited to, uniform wall signs and/or painted walkway signs along the public access areas.

- 46) To ensure notification of all interested parties and successors in interest, that the City of Long Beach issued an approval of a Local Coastal Development Permit at the subject property, the current property owner shall record the conditions of approval on the property title, in a form approved by the City Attorney, with the Los Angeles County Registrar-Recorder's office prior to the issuance of building permits. The Notice of Restriction shall include a complete property description, the conditions of approval as an exhibit, and contain the notarized signature of the property owner(s). The Notice shall not be removed or amended without the prior written approval of the Director of Development Services.

- 47) The applicant shall submit an application for a Sign Program for the project. No permanent on-site signs requiring a sign permit shall be installed prior to approval of a Sign Program. The Sign Program shall include signage for all vehicular access and loading areas. The Sign Program for the site shall include wayfinding signage consistent with City design standards for public space. This wayfinding signage shall clearly indicate public open space areas.

- 48) SEASP Projects that will generate more than 50 peak hour trips shall join the Transportation Management Association (TMA).

- 49) The building shall contain all electric appliances within the interior/indoor units only.

- 50) The Applicant shall provide the following in accordance with the Green Building Standards of Section 21.45.400 of the Zoning Regulations:
 - a. Canopy trees shall provide shade coverage, after five (5) years of growth, of forty percent (40%) of the total area dedicated to parking stalls and

associated vehicular circulation, or paving materials with a solar reflectance index of at least twenty-nine (29) shall be used on a minimum of fifty percent (50%) of paving surfaces dedicated to parking stalls and associated vehicular circulation. *This standard condition does not apply to this project as the parking is tucked under the building and is not a paved surface lot.*

- b. Bicycle parking shall be provided at a minimum of one (1) space for every five (5) residential units, one (1) space for each five thousand (5,000) square feet of commercial building area, one (1) space for each seven thousand five hundred (7,500) square feet of retail building area and one (1) space for each ten thousand (10,000) square feet of industrial building area. Fractions shall be rounded up to whole numbers;
 - c. Roofs shall be designed to be solar-ready subject to all applicable state and local construction codes and provide conduit from the electrical panel to the roof; and
 - d. A designated area for the collection of recyclables and organics shall be provided adjacent to the area for the collection of waste.
- 51) The final plant schedule shall comply with the approved plant palette for the Southeast Area Specific Plan (SEASP Appendix D).
- a. To the greatest extent feasible, the landscaping selected for installation shall be selected to maximize the capacity to support habitat for species common to the Los Cerritos Wetlands area.
 - b. Landscaping within natural areas shall consist of California native species or varieties that will not invade habitat or hybridize with existing native vegetation to create a more seamless transition between the natural wetlands and the development (per CalGreen and Cal IPC standards).
- 52) The use of invasive plant species, such as those listed by the California Invasive Plant Council, shall be prohibited in the Coastal Zone.
- 53) To the greatest extent feasible, the Applicant shall incorporate ecologically responsible pest control methods.
- 54) The Applicant shall install street trees and landscaping within the public right-of-way in conformance with Section 21.42.050 of the Municipal Code, SEASP Section 8.2.4, Streetscape Amenities, and SEASP Appendix D, Plant Palette.
- 55) All on-site landscaping and improvements and all off-site improvements shall be completed prior to approval of a final building inspection or certificate(s) of occupancy for the development.

- 56) The final selection of window and door systems shall be in compliance with the Bird-Safe Treatment requirements in Section 8.3.14 of the Southeast Area Specific Plan document. The final plans shall include final details and specifications for the proposed treatments.
- 57) No portion of the exterior door and window systems or building components shall have a reflective surface that produces glare in exceedance of what is explicitly stated in the SEASP Program EIR and/or Specific Plan document.
- 58) All tree removal and modifications shall be completed in conformance with SEASP Policy 5.31.
- 59) During construction, the Applicant shall implement Best Management Construction methods minimize water runoff and debris in accordance with all applicable state, regional, and local requirements.
- 60) To the greatest extent feasible, the recommendation contained in the Flood Resilience Assessment prepared by ARUP, dated March 2022, shall be incorporated and implemented into the project.
- 61) Construction staging, equipment, and materials shall not impede public access to the coast at all locations for vehicular, bicycle, and pedestrian traffic.
- 62) Any streetlights, pedestrian lights, parking lot lights, and other exterior lights to be provided within the development or adjacent public rights-of-way shall be subject to review by the Director of Development Services prior to issuance of building and electrical permits. All lights shall be adequately shielded so as to prevent the intrusion of light and glare upon any adjacent property or structure, in compliance with the appropriate backlight/uplight/glare (BUG) rating requirements of the Illuminating Engineering Society of North America (IESNA) equivalent to the previous standard for certified full-cutoff fixtures, or meeting IESNA specifications for full-cutoff fixtures.
 - a. A final photometric plan per SEASP development standards shall demonstrate the project lighting will be designed and shielded in accordance with plan requirements.
- 63) The Applicant shall provide a construction staging plan to the Director of Development Services for review and approval prior to the issuance permits for each phase of construction, including demolition/site preparation, rough grading, precise grading, and each phase of building permits.
- 64) All trucks, construction vehicles, and equipment not actively in use on the project site, including those queueing off-site, shall be prohibited from engine idling for more than 5 minutes, and the Applicant shall utilize best management practices (BMPs) and best available technology to achieve this. The Applicant shall post a clearly-legible sign on the exterior construction fencing with the phone number of

a construction site complaint/issues coordinator responsible for managing truck and equipment idling. Complaints of violations regarding truck and equipment idling shall be resolved within 24 hours of the receipt of the complaint. The Director of Development Services is authorized to issue stop work orders and withhold the issuance of building permits if the Applicant fails to remedy engine idling violations as required, until such time as the violations are remedied.

- 65) All equipment reverse signal alarms utilized by construction vehicles and equipment on the site, as required per OSHA regulations and provided in Code of Federal Regulations 29 CFR 1926.601(b)(4) and 1926.602(a)(9), shall not be of the single-tone high-pitch type. Alternate pitch, broad-spectrum sound, or other non-single-tone non-high-pitch alarms meeting the requirements of 29 CFR 1926.601(b)(4) and 1926.602(a)(9) shall be utilized instead.
- 66) 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. Wherever feasible, these devices shall not be located in any front, side, or rear yard area that is adjacent to a street. Furthermore, these devices shall be screened to the greatest extent feasible by landscaping or another screening method approved by the Director of Development Services.
- 67) The Applicant shall comply with all mitigation measures and project design features of the Southeast Area Specific Plan Program EIR and its Mitigation Monitoring and Reporting Program (MMRP), as detailed in the EIR (SCH2015101075) prepared for this project. The MMRP is attached to these conditions of approval and by this reference made a part hereof.
- 68) The Applicant is hereby advised that sea level rise could potentially cause physical hazards, such as beach erosion, flooding, and saltwater intrusion upon the subject property. This condition of approval serves in an advisory capacity, and does not constitute a vulnerability assessment. The Applicant is encouraged to include adaptive capacity in development with measures such as waterproofing, flood shields, water tight doors, moveable flood walls, partitions, and other flood proofing techniques.

Building Department

- 69) Applicant shall provide for all comments, conditions, and recommendations issued for the project by the Long Beach Building Department in the memorandum dated March 8, 2023, which by this reference is made a part of these conditions of approval.

Long Beach Transit

- 70) The Applicant shall add a bus shelter at this stop and ensure adequate ADA accessibility. Applicant shall work with Long Beach Transit on the specific location of the bus stop at the development site.

Long Beach Water

- 71) Separate metering devices shall be dedicated solely to each residential and nonresidential uses.
- 72) The plumbing system downstream of the meters for the residential and nonresidential uses shall be independent of the other and not cross-connected.
- 73) Backflow prevention assemblies shall be required on all water services.
- 74) New DCDA meeting current LBWD standards shall be installed. Refer to LBWD website for current design requirements.
- 75) All fire and water service laterals shall be kill-tapped and individual service laterals shall be required for each water service.
- 76) Each unit shall have a dedicated sewer lateral.
- 77) Sewer area study which involves flow monitoring. Approval will be required from Los Angeles County Sanitation Districts.
- 78) Water service connections may only be made to water mains 12 inches and smaller.
- 79) In new buildings with mixed-use occupancies, separate metering devices shall be dedicated solely to each residential and nonresidential uses.
- 80) The plumbing system downstream of the meters for the residential and nonresidential uses shall be independent of the other and not cross-connected.
- 81) The property owner is responsible to order a kill tap for any unused water service laterals prior to start of construction.
- 82) Projects with no setbacks ("zero-property-line buildings") require special attention to locate DCDA's and water meter assemblies sized four inches and greater. Applicant and engineer must contact the Long Beach Water Department to understand our requirements and review conceptual design locations for approval prior to final design.
- 83) The backflow device shall be located on private property. "A reduced pressure principle backflow prevention device shall be located as close as practical to the

user's connection and shall be installed a minimum of twelve inches (12") above grade and not more than thirty-six inches (36") above grade measured from the bottom of the device and with a minimum of twelve inches (12") side clearance." (17 CA ADC § 7603)

- 84) Please submit plumbing and landscaping plans to LBWD for review and approval.
- 85) Demolition plans shall require all existing sewer laterals to the property to be capped a minimum of 2 feet from the property line, in the public right-of-way.
- 86) Contact LBWD to review design plan and to determine fees and contact City of Long Beach Public Works to secure a permit.
- 87) All new construction will require the installation of a new cut-in wye (6-inch lateral) or manhole connection (8-inch and larger lateral).
- 88) The project owner shall install a cleanout per LBWD standards at the property line (P.L.).
- 89) Applicant shall perform a video inspection of the sewer lateral from P.L. to the main under the supervision of an LBWD inspector, submit CCTV results to LBWD, and make repairs to the lateral necessary to ensure proper flow of sewage through the lateral to the satisfaction of LBWD.
- 90) Sewer connections shall be made to the smallest sewer main accessible to the site.
- 91) Grease interceptor (G.1.): Plans shall be submitted to LBWD for approval of the existing G.1., or installation or new G.I. Plans shall meet current requirements as listed on the LBWD web site at <https://lbwater.org/customer-services/designing-and-planning/greasetrap-grease-interceptor-plan-check/>.
- 90) Should the owner proposes to reuse the existing grease interceptor and it is sized properly per the California Plumbing Code, owner shall coordinate inspection by an LBWD inspector, after paying the plan check fee. The G.I. shall be empty and clean when the inspector arrives.

GENERAL PUBLIC WORKS REGULATIONS

- 92) Public Right-of-Way. New construction, addition, or alteration of existing Public Right-of-Ways (e.g., driveways access, sidewalks, streets, alleys or other right of ways) must obtain Public Works Department approval. Please follow up with Mr. Bill Pittman at 562-562-6996.

- 93) Encroachment Below Grade. The encroachment of soldier piles and/or tiebacks supporting subterranean basement or temporary shoring into the Public Right-of-Ways requires the approval of Public Works. Please follow up with Mr. Bill Pittman at 562-562-6996.
- 94) Graphic Fence Wrap for Temporary Fencing Standards. Temporary fencing wrapped with graphic design approved by Public Works may be required on construction projects to minimize the visual impact of construction activity prior to the issuance of any construction permit. The requirements are contained in Public Works' Development Guideline Section 6.5. Please follow up with Mr. Jorge Magana at 562-562-6678.
- 95) Occupancy in the Right-of-Way. Outdoor dining, news rack or stand, canopy or patio cover, enclosed awning and any other similar structure or occupancy in the Public Right-of-Ways requires the approval of Public Works. Please follow up with Mr. Bill Pittman at 562-562-6996.
- 96) Encroachment or Projection Above Grade. CBC Chapter 32 Encroachment into the Public Right-of-Ways will apply to this proposed project due to the potential encroachment or projection of building elements or structures into the public right-of-way.
- Awnings, canopies, marques and signs with less than 15 feet clearance above the sidewalk cannot extend into or occupy more than two-thirds the width of the sidewalk measured from the building.
 - The vertical clearance from the public right of way to the lowest part of any awning, including valances, shall not be less than 7 feet.
 - The vertical clearance from the alley to the lowest part of any projection shall not be less than 15 feet.
 - Balconies with a minimum vertical clearance of 8 feet above the sidewalk is permitted to have 1 inch of encroachment for each additional 1 inch clearance above the 8 feet with a maximum encroachment limited to 4 feet.
 - Exterior door(s) that swing into the public right of way (e.g., public sidewalk, alley, etc.).

GENERAL HEALTH DEPARTMENT REGULATIONS

- 97) Swimming Pool. Public swimming pools are subject to the review of the Environmental Health Services Bureau within the Health Department.

PUBLIC WORKS

- 98) 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 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. The Applicant may be subject to street restoration requirements if an adjacent street affected by the project is under a street cut moratorium that is active at any point through the completion of construction. Although a street cut moratorium may not be in place at the time of these conditions, one may be in effect at a later date that the project shall adhere to. The Applicant shall provide written approval from the City to implement any street improvements prior to the end of the moratorium, in the form of a discretionary permit for excavation. Any work within a street under moratorium requires a complete grind and overlay from block to block.

c. 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.

d. 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.

e. The proposed improvements shown for the final Pacific Coast Highway street section as presented in the Southeast Area Specific Plan and, as applicable, the latest Bicycle Master Plan, are subject to Caltrans review and approval. Right of way improvements, dedications and easements conditioned in this document are subject to change pending Caltrans review.

f. All off-site improvements shall provide a minimum of 5 feet clear dedicated right-of-way between any and all obstructions for pedestrian travel purposes compliant with

the most recent ADA standards. All hardscape shall be constructed with Portland cement concrete. All removal limits shall consist of entire panel replacements (from joint line to joint line).

g. 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.

h. Any proposed signage shall be located entirely on site, on private property, completely out of the public right-of-way. Any signage initially proposed in public rights-of-way shall be eliminated, to the satisfaction of the Director of Public Works.

i. 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. **This is in addition to, and separate from, any plan check required by the Department of Development Services, Building & Safety Bureau.**

j. 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

k. All architectural projection encroachments shall be constructed in compliance with Long Beach Municipal Code, Title 14, Chapter 14.48 and to the satisfaction of the Director of Public Works. Construction plans shall be submitted to the Department of Public Works for all projections over the public right-of-way, to be reviewed for approval for compliance with the referenced code, and City Pedestrian Accessibility Guidelines, or be eliminated to the satisfaction of the Director of Public Works.

Note: Per the referenced LBMC, encroachments into the public right-of-way above eight feet in height above a sidewalk are allowed for awnings, canopies, signs, architectural features, balconies, and windows. These improvements can encroach over the property line one inch for each additional one inch of clearance above eight feet. The maximum encroachment shall be four feet at a minimum clearance height of twelve feet.

l. To conform to the Southeast Area Specific Plan, a 10 foot public access easement shall be granted to the City of Long Beach for additional parkway and dining/retail purposes along Pacific Coast Highway. Applicant shall process all necessary documents and applicable fees for said easement.

m. 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, the right-of-way dedication way shall be provided.

n. The Applicant shall provide easements to the City of Long Beach for any proposed or required public utility facilities, to the satisfaction of the concerned City Department or public agency.

Note: Backflow preventer must be installed on private property and an easement to the City must be processed through an application to the Department of Public Works.

o. 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

p. Pacific Coast Highway is a State highway under the jurisdiction of the California Department of Transportation (Caltrans). A street improvement encroachment permit from (Caltrans) will be required for all work within the Pacific Coast Highway right-of-way. The Applicant shall contact Caltrans to request additional information regarding its permitting process and provide a copy of the approved permit and design plans to the Department of Public Works.

q. Applicant shall conform to Figure 7-7 of the Southeast Area Specific Plan for Pacific Coast Highway along the frontage of the proposed development. Improvements shall at a minimum include a raised street median, a 3' raised buffer between the bike lane and the vehicular travel lane, a 5' raised bike lane, a 6' Portland Cement Concrete sidewalk, and a 6' landscaped and irrigated parkway on both sides of the sidewalk, to the satisfaction of the Director of Public Works and the City Traffic Engineer. See footer note.

r. Applicant shall construct a new ADA compliant dual curb ramp and protected bikeway elements at the south corner of the intersection of Studebaker Road and Pacific Coast Highway to the satisfaction of the Director of Public Works. Improvements shall be constructed with Portland cement concrete. See footer note.

s. Applicant shall construct a new ADA compliant curb ramp at the western corner of the project site to the satisfaction of the Director of Public Works. Improvements shall be constructed with Portland cement concrete.

t. The Applicant shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter along the project site frontage to the satisfaction of the Director of Public Works. The Applicant shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).

u. The Applicant shall remove unused driveways and curb cuts, and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.

v. Applicant shall provide for new street trees with root barriers and associated irrigation on Studebaker Rd and Pacific Coast Highway, per Section 21.42.050 and Section 14.28.020 of the Long Beach Municipal Code. Where physical obstructions do not allow for the required number of street trees to be planted, an in-lieu fee shall be assessed by the City Arborist and paid by the Applicant for each required street tree that is not provided. Furthermore, in the case of any existing street tree removal, an additional fee will be collected for each removed tree to allow for the planting of one additional tree elsewhere. Any street trees requiring removal shall be relocated or replaced to the satisfaction of the Director of Public Works. Applicant and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. If required, street tree removals and in-lieu tree planting fees shall be coordinated directly with the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to issuance of permit. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.

Note: As the trees along Pacific Coast Highway are within Caltrans Right-of-Way, a Landscape Maintenance Agreement and Installation and Maintenance Agreement shall be processed.

w. The Applicant shall upgrade the following storm drain lines impacted by the proposed development:

i. 18" Reinforced concrete pipe shall be upgraded to a minimum 24" Reinforced concrete pipe at the eastern corner of the site. Replacement shall be from the curb opening catch basin to the existing manhole.

x. The Applicant shall prepare a site-specific hydrology and hydraulic study of the on-site and immediate offsite storm drain systems to determine capacity and integrity of the existing and proposed systems. The hydrology and hydraulic study shall be

submitted to City of Long Beach Public Works Department for review and approval.

Note: Hydrology and Hydraulics report shall include exhibits showing building elevations and drainage patterns and slopes. Furthermore, the report shall compare the pre-construction condition and post-construction condition (drainage pattern, flow etc.). Exhibits shall be provided for both the existing and proposed conditions.

- y. The Applicant shall check with the Long Beach Water Department at (562) 570-2300 and the Energy Resources Department at (562) 570-2000 for scheduled main replacement work prior to submitting any improvement plans to the Department of Public Works.
- z. The Applicant proposes improvements that may impact existing under- and above-ground utilities adjacent to the project site, including, but not limited to, a fire hydrant, traffic signal poles, street light conduits, and utility cabinets, along the perimeter streets 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.
- aa. 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.
- bb. 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.
- cc. 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 Applicant shall consult with the Department of Public Works to review and approve.
- dd. To the satisfaction of the Director of Public Works, the Applicant shall submit for approval a shoring plan, for any temporary or permanent tiebacks/soil nails that are required to extend beneath the public rights-of-way adjacent to the project site.

Tiebacks/soil nails shall be per the standards and requirement of Long Beach Municipal Code Chapter 14.08.

- ee. The Applicant shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
- ff. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. Prior to issuance of a building permit, detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for review and approval. This is in addition to any plan check required by the Department of Development Services. Work, including hauling soils or other debris, is not allowed within the right of way without a valid Public Works permit.
- gg. 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.
- hh. 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.

TRAFFIC AND TRANSPORTATION

- ii. The Applicant shall provide a trip generation and trip distribution analysis. Based on these studies, a traffic impact analysis may be required. Any conditions generated by the analysis shall be made a part of these conditions.
- jj. The Applicant shall contribute a fee for their fair share of traffic signal improvements at the intersection of Studebaker Road and Pacific Coast Highway which may include, but are not limited to the following:
 - i. All Traffic Signal indications shall be updated to 12" LED units.
 - ii. Vehicular detection shall be installed on all approaches to the signalized intersection. This may include presence, mid or advance detection per City direction. Options will include standard Type E loops or video detection.

- iii. All pedestrian indications shall be upgraded to LED Countdown Modules within all pedestrian crossings.
 - iv. All pedestrian push buttons shall be upgraded to the most current City Standard.
 - v. All signalized intersections will require the installation of Emergency Vehicle Pre-Emption (EVPE) equipment. The equipment and installation must be completed per the most current City Standard.
 - vi. Because of the fact that so many City of Long Beach traffic signals operate and share coordinated signal timing plans, the Applicant shall install a GPS Module at all traffic signals that are directly impacted by their project. The GPS Modules create accurate time-based communications between nearby traffic signals.
 - vii. The Applicant may be asked to update the traffic signal controller located in the traffic signal cabinet. The existing traffic signal controller may not have the capability to handle the complexities of new traffic patterns that are directly related to the Applicant's project. In such cases, the Applicant will be asked to install a new traffic signal controller based on the most current City Standard, McCain 2070 Controllers.
- kk. The Applicant shall install all necessary bike and traffic signal improvements directly related to the proposed improvements, including but not limited to, protected bike lane construction and associated restriping, to the satisfaction of the City Traffic Engineer and Caltrans.

Note: This intersection and associated traffic signals are within Caltrans jurisdiction. Caltrans shall have full authority on the review and approval of the traffic signal improvements.

- ll. New crosswalks in the vicinity of the project shall be added by the Applicant at the discretion of the City Traffic Engineer. The Applicant shall be responsible to upgrade all existing crosswalks, and install all new marked continental crosswalks, to the newest City standards.
- mm. At the discretion of the City Traffic Engineer, the Applicant shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks.
- nn. Applicant shall remove the existing 90 foot median on Studebaker Road and incorporate raised parkways, a bikeway, and new sidewalk into the design for Studebaker Road adjacent to the project site. Applicant shall construct a minimum 11 foot wide non-meandering PCC sidewalk directly adjacent to the R/W line. The applicant shall construct a 6 foot wide raised bike lane with 5 foot wide planted, irrigated raised parkways on each side to separate the bike lane from the sidewalk and the vehicular travel lanes. The total parkway and sidewalk width shall amount to the greater of the existing sidewalk width or 16 feet. Landscape and irrigation plans shall be provided to the satisfaction of the Director of Public Works. Lane striping shall be provided to the satisfaction of the City Traffic Engineer.

- oo. Applicant shall incorporate a raised 3 foot wide buffer and raised 5 foot wide bikeway into the design for Pacific Coast Highway adjacent to the project site, as indicated in the Southeast Area Specific Plan. Bike lane striping shall be provided to the satisfaction of the City traffic Engineer.
- pp. There is a Long Beach Transit/OCTA bus stop on Pacific Coast Highway adjacent to the development site. The Applicant shall incorporate enhancements to improve the bus stop into this project. Amenities such as a roof overhang for additional shelter and architectural seating for bus patrons should be integrated into the project. A transit boarding island separating buses from bicyclists should be provided for the bus stop per Long Beach Transit standards. The Applicant shall collaborate with Long Beach Transit/OCTA and the City's Public Works Department to take advantage of this opportunity.
- qq. The Applicant shall contact Long Beach Transit prior to the commencement of work to coordinate design and construction issues and to ensure that construction does not interfere with transit bus operations at the existing bus stop on Pacific Coast Highway. Contact Christopher MacKechnie at (562) 489 -8466.
- rr. 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.

Note: As illustrated on the proposed site plan, Applicant is proposing a vehicular entry point along Studebaker Road. Entry points appear to be designed with curb returns, which is not acceptable to Public Works. Driveway approach design, geometry and configuration shall be per City of Long Beach Standard Plans and are subject to review and approval by the City Traffic Engineer.

- ss. 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.
- tt. 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.
- uu. The Applicant shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- vv. The Applicant shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
- ww. 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.).

- xx. All bike racks and bike rack placement must follow the guidance in “Essentials of Bike Parking” by the Association of Pedestrian and Bicycle Professionals.

Standard Conditions – General:

- 99) As provided in Section 21.21.406 of the Long Beach Municipal Code, every right or privilege authorized under this permit shall terminate three (3) years after the granting of the request and be of no further force and effect if the right or privilege has not been commenced within that three-year period. The termination will take effect without further City action if a timely request for extension of time has not been made or is denied. Any interruption or cessation necessitated by publicly declared emergency, fire, flood, earthquake or act of war or vandalism or cessation shall not result in the termination of the right or privilege.
- 100) 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 shall 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).
- 101) 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).
- 102) 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.
- 103) 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. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.

- 104) 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.
- 105) 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.
- 106) Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
- 107) Any graffiti found on site shall be removed within 24 hours of its appearance.
- 108) All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
- 109) All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
- 110) 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.