

TENTATIVE TRACT MAP
CONDITIONS OF APPROVAL
1028 East 10th Street
Application No. 2010-03 (TTM20-009)
April 15, 2021

Special Conditions:

1. The use permitted on the subject site, in addition to the other uses permitted in the Downtown Plan (PD-30) Area, shall be five (5) condominium units located at 1028 East 10th Street. The conditions of approval set forth herein are for the Tentative Tract Map application (TTM20-009). This project received Site Plan Review (SPR18-057) approval for the construction of the residential townhome development on August 14, 2019. All conditions of approval set forth under sub-project SPR18-057 shall remain applicable.
2. The developer shall cause to be prepared Covenants, Conditions, and Restrictions (CC&Rs) for this project. A copy of the CC&Rs are to be provided to the Director of Development Services or designee for review and approval prior to transmittal to the California Department of Real Estate or recordation with the County Recorder.
3. The CC&Rs shall be executed and recorded against the title of the parcel(s) and shall contain the following provisions, which shall also be noted on the Final Map:
 - a. The subject residential project consists of five for-sale townhomes;
 - b. Parking spaces must be used solely for the parking of personal vehicles. Parking spaces may not be leased, subleased, rented, or sold, and are to be used exclusively by the residents of the respective townhome where each garage is located;
 - c. A clear, detailed and concise written description of the common areas and facilities of the community shall be provided. The common space areas and their amenities, as shown in the approved plans, shall be maintained in perpetuity;
 - d. To ensure continuity of design, individual fences for the townhome units shall not be constructed.
 - e. The Homeowners' Association shall be responsible for the operation and maintenance of the following, and such responsibilities shall be provided for in the CC&Rs:
 1. The private sewer connection(s) to the public sewer in the public right-of-way;
 2. The site drainage system(s);
 3. The maintenance of all common areas, common landscaping, community buildings, facilities, and amenities;

4. The maintenance of front yard areas along 10th Street Avenue;
 5. A provision for the maintenance of the exterior of each residence and the private landscaping associated with each residence;
 6. All private streets, sidewalks, parkways, and driveways;
 7. All perimeter fences, walls, and gates, and interior fences, walls, and gates;
 8. All adjacent public right-of-way street trees, parkways, sidewalks, and drive aprons; and
 9. Any costs or corrections due to building or property maintenance code enforcement actions
- f. Graffiti removal shall be the responsibility of the Homeowner's Association. Graffiti shall be removed within 24 hours of its discovery. This responsibility shall include graffiti on the outside of the perimeter walls in addition to any graffiti within the development.

Public Works Conditions

4. The developer shall provide for the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
- b. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
- c. All off-site and/ or public improvements and facilities required by the Department of Public Works not in place and accepted prior to final map approval, must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
- d. Prior to final map approval, the Subdivider shall submit its on-site parking management plan and project Conditions, Covenants and Restrictions (CC&R's) for review and approval of the Director of Public Works.
- e. The Subdivider and successors shall be responsible for the maintenance of the site drainage system, and for the operation and maintenance of any private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project CC&R's, and a recorded copy of said document shall be provided to the Director of Public Works.

- f. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected prior to approval of the final map, or a private drainage easement recorded on the map, to the satisfaction of the Director of Public Works.
- g. Prior to the start of ANY demolition, excavation, or construction, the Subdivider 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 Subdivider 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.

- h. The Subdivider 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.
- 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. The Subdivider shall be responsible for the relocation and/ or undergrounding of utilities, right-of-way dedications, quitclaim of easements, and/or any new utility

easements required in connection with the proposed development, and removal of any related abandoned facilities or equipment as needed or required; as structures cannot be built within an easement or dedicated area.

- l. Subdivider 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.
- m. Subdivider shall provide easements to the City of Long Beach for any City required facilities including traffic signal controls, signage, required slopes, bus stops, refuse collection access, and any other public utilities and/ or necessities, to the satisfaction of the public agency or City Department with interest. All easements shall show on the final map.
- n. Unless approved by the Director of Public Works, easements shall not be granted to third parties within areas proposed to be granted, dedicated, or offered for dedication to the City of Long Beach for public streets, alleys, utility or other public purposes until the final map filing with the County Recorder. If easements are granted after the date of tentative map approval and prior to final map recordation, a notice of subordination must be executed by the third-party easement holder prior to the filing of the final map.

OFF-SITE IMPROVEMENTS

- o. Subject to approval of the proposed driveway approximately near the northeast corner of the project site, Subdivider shall reconstruct the sidewalk pavement, curb and curb gutter along East 10th Street adjacent to the project site, and provide for a Type 3 driveway approach per Public Works Engineering Standard Plan No. 105 to the satisfaction of the Director of Public Works. The Subdivider 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).
- p. Subdivider shall provide new parkway landscaping and irrigation along 10th Street, including an access path through the improved parkway, per Section 21.42.050 of the Long Beach Municipal Code. Subdivider and/or successors shall water and maintain all landscaping and sprinkler systems required in connection with this project.
- q. The Subdivider shall protect in place the existing Palm tree in the parkway on East 10th Street adjacent to the project site, during construction of any off-site improvements within that right-of-way.
- r. The Subdivider 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.

- s. The Subdivider proposes improvements that may impact existing under- and above-ground utilities through and adjacent to the project site, such as gas lines, water pipelines, and utility poles and overhead lines, and along the perimeter streets and alleyways adjacent to the project site. The Subdivider 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 Subdivider 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 Subdivider, to the satisfaction of the Director of Public Works.
- u. The Subdivider 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 Subdivider 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.

TRAFFIC AND TRANSPORTATION

- w. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. The Subdivider shall contact the Transportation Mobility Bureau, at (562) 570-6331, to request information regarding driveway construction requirements.
- x. Subdivider shall contribute a fair share fee to the City for future implementation of a Class III and recommended 8-to-80 Bikeway along 10th Street. The Subdivider shall contact the Transportation Mobility Bureau, at (562) 570-6331, to request information regarding construction requirements.
- y. The Subdivider shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- z. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- aa. The Subdivider shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.

- bb. 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.).

Standard Conditions – Plans, Permits, and Construction:

- 5. 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.
- 6. All conditions of approval shall be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions shall be printed on the site plan or a subsequent reference page.
- 7. The plans submitted for plan review shall explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.
- 8. 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. 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.
- 9. 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.
- 10. All rooftop mechanical equipment shall be fully screened from public view. Said screening shall 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 shall be submitted for approval by the Director of Development Services prior to the issuance of a building permit.
- 11. 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.
- 12. 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.

13. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
14. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
15. The applicant shall file a separate landscaping plan check submittal to the Department of Development Services for review and approval prior to issuance of a building permit.
16. 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.
17. 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.
18. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau shall be secured.
19. 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.
20. For projects consisting of new buildings, parking lots, or landscaped area, the applicant shall submit complete landscape and irrigation plans for the approval of the Director of Development Services prior to the issuance of a building permit. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees. Turf shall be limited to less than 50 percent of the total landscaped area. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50 percent or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Director of Development Services.
21. 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.

22. 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.
23. 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.
24. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
25. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
26. Low-flow fixtures shall be used for all lavatory faucets, kitchen faucets, showerheads, toilets, and urinals. Toilets may be either low-flow or dual flush. Maximum flow rates for each fixture type shall be as follows: lavatory faucet – 2.75 GPM, kitchen faucet – 2.20 GPM, showerhead – 2.00 GPM, toilet – 1.3 GPF, dual flush toilet – 0.8/1.6 GPF, urinal – 1.0 GPF. Plans submitted for review shall specifically identify such fixtures and flow rates.
27. 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: The “Standard Conditions” apply as appropriate to the entitlement, as determined by the Director of Development Services or their designee.

28. 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.

29. 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).
30. 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.
31. 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).
32. 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.
33. 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.
34. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
35. 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.
36. 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.

37. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
38. Any graffiti found on site shall be removed within 24 hours of its appearance.
39. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
40. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
41. 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.