

CONDITIONS OF APPROVAL
7250 Carson Boulevard
Application No. 2112-17 (CUP21-024 & TPM21-009)
September 7, 2023

1. The following approvals are granted for this project:
 - a. Approval of a Program Environmental Impact Report (EIR) Compliance Checklist (PECC 02-23) to the General Plan Land Use and Urban Design Elements Draft Program EIR (SCH #2015051054);
 - b. Conditional Use Permit (CUP21-024) approval to allow the operation of a drive-through facility for a new detached restaurant proposed on the northwesterly portion of a vacant pad within the Long Beach Towne Center in the Regional Commercial Highway (CHW) Zoning District located at 7250 Carson Boulevard; and
 - c. Tentative Parcel Map approval to allow the subdivision of an existing 20-acre parcel into (2) two lots resulting in Parcel A, a 17.56-acre lot and Parcel B, a 2.44-acre lot. (District 4)
2. 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 for a one-year period, as permitted by Section 21.21.406 of the Long Beach Municipal Code (LBMC), based on a written and approved request submitted prior to the expiration of the subject grant.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the Conditions of Approval Acknowledgement Form supplied by the Planning Bureau. This acknowledgment form 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).

Special Conditions

4. The applicant shall comply with the Mitigation Measures specified in the Mitigation Monitoring and Reporting Program of the General Plan Land Use and Urban Design Elements Draft Program EIR as described in the Program EIR Compliance Checklist (PECC 02-23), to the satisfaction of the Director of Development Services. These mitigation measures are attached to these conditions of approval and by this reference made a part hereof.
5. The site and design of the detached fast food restaurant located on the northwesterly portion of the site shall be improved consistent with the plans (SPR21-085) approved by Site Plan Review Committee on April 12, 2023 and the Planning Commission on August 3, 2023, except as amended by the Conditions of Approval.
6. Any expansion of the drive-through facility shall be subject to a modification to the Conditional Use Permit.

7. No loading or unloading of any deliveries shall be allowed within the public right-of-way; such activities shall occur only within the subject site.
8. Deliveries shall not occur during regular business hours for both restaurants.
9. In order to comply with the Long Beach Climate Action Plan's Development Checklist's requirement to utilize 100% zero-carbon electricity and meet the 2030 Green House Gas reduction goal, the applicant shall:
 - A. Sign up for the Southern California Edison (SCE) Green Rate Program to procure carbon-free electricity and enroll as soon as an opening becomes available. As of August 3, 2023, Southern California Edison's (SCE) Green Rate program is not accepting new customers and has a waitlist available to prospective customers on a first-come, first-served basis. The applicant shall provide proof of waitlist prior to the issuance of Certificate of Occupancy and provide an update on the status of enrollment to the Planning Bureau not less than one time annually at the time of business license renewal.
 - B. If the business has not been enrolled into the SCE Green Rate Program within four (4) years of the date of approval by September 7, 2027, the application shall work with the Planning Bureau to file an application for a Site Plan Review Modification and/or building permit. The applicant shall demonstrate a good faith effort to file an application and obtain building permits within 12 months to:
 - i. Maximize on-site solar panels/photovoltaic (PV) cells to the extent feasible to offset onsite energy uses. Potential locations for onsite solar panels/PV cells include the rooftop of the restaurants, patio coverings, and parking stalls through the installation of solar carport canopies. Providing battery storage for the solar PV system to support and power onsite energy uses is highly encouraged; and
 - ii. Provide proof of a customer Power Purchase Agreement (PPA) for renewable energy.
10. The hours of operations, shall be limited to following hours:
 - a. El Pollo Loco: Monday through Sunday from 9:00 a.m. to 2:00 a.m.
11. Should the City receive calls for service during the permitted hours of operation, the applicant shall work with the Development Services Department to modify the business operations to address nuisance activity including but not limited to addition of security.
12. The applicant may only extend the business hours of operation until 3:30am with the incorporation of onsite security subject to the review and written approval of the Zoning Administrator.
13. At the time of plan check submittal the applicant shall include a raised pedestrian crosswalk for any pedestrian pathways that crosses through the drive through lanes of both restaurants.

14. The applicant shall install informational signs “do not block walkways” signage within the drive through lanes that intersect with the pedestrian walkways to prevent vehicles from obstructing the walkways.
15. The applicant shall provide clear pavement markings for the entrance of the drive through aisles and the direction of traffic flow.
16. The menu board shall meet a four (4) minimum vehicle queuing for both drive through facilities for both restaurants.
17. The applicant shall install the dual pedestrian and bicyclist pathways proposed on the northern portion of the site accessed from Carson Street to both restaurants.
18. Noise levels emanating from the project site shall not exceed applicable noise standards specified in Long Beach Municipal Code Section 8.80.150 - Exterior Noise Limits.
19. The site, including all landscaped areas, parking areas, walls, structures, and adjacent rights-of-way, 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.
20. The applicant shall submit an application for a Sign Program for all project site buildings. 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 and shall be consistent with existing Long Beach Towne Center Sign Program.
21. The applicant shall provide decorative paving along the project entries and pedestrian area including the patio areas of the restaurant to enhance the pedestrian environment.
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 project and shall include an architecturally compatible solid roof structure. The trash enclosure shall include refuse, organic and recycling bins. All trash receptacle areas shall be located and constructed in accordance with Section 21.45.167 of the Zoning Regulations.
23. The trash enclosures shall include three (3) foot wide planters with low-growing plant materials.
24. The project landscaping shall comply with the Water Efficient Landscaping standards of Chapter 21.42 of the Zoning Regulations.
25. The applicant must submit complete landscape and irrigation plans for the approval of the Director of Development Services, as a separate, but concurrent plan check with the building plans.

26. Building permits will not be issued prior to the approval of a landscape permit (LBMC 21.42.030.C).
27. All landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted primarily 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.
28. The applicant, and potential landscaping contracts for the subject property, shall utilize electric lawn and garden equipment, outdoor power equipment, and other small equipment to eliminate the worsened air quality impact of gasoline-powered and combustion engine equipment onsite for landscape management and site maintenance.
29. The applicant shall obtain all necessary permits by all City, County and State agencies.
30. Pursuant to section 21.45.400 (i), the project shall provide:
 - 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;
 - 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 shall be provided adjacent to the area for the collection of separated waste, recyclables and organics.
31. Any minor site changes to the plans approved by the Planning Commission on August 3, 2023, in keeping with the intent of the environmental evaluation completed in the Program Environmental Impact Report (EIR) Compliance Checklist (PECC 02-23) of the project, may be approved at the discretion of the Director of Development Services.
32. For any major substantial changes, the applicant shall be required to submit an

application for a Modification of an Approved Permit (Planning Commission approval) and shall require further environmental review, subject to applicable fees.

33. Prior to the issuance of building permits and commencement of construction activities, the applicant or construction contractor shall notify adjacent and adjoining property owners/occupants of the initiation of construction activities. The notification shall include the days and hours of construction and contact information for potential complaints.
34. Site Maintenance. All areas visible from public rights-of-way shall be kept clean and orderly in compliance with the provisions of the property maintenance ordinance, Chapter 8.76 of the Municipal Code. All broken, cracked, depressed or damaged curbs and sidewalks shall be repaired. No vehicle or equipment repair use shall allow dirt, grime, oil or any chemicals to drain across the public sidewalk or alley in a manner that stains or discolors the sidewalk or alley.
35. To the extent feasible, removal of any tree and/or vegetation suitable for nesting of birds shall not occur during the bird breeding season of January through September, but variable based on seasonal and annual climatic conditions. If initial clearing activities, prior to construction, take place during nesting season, a nesting bird survey shall be performed by a qualified biologist within three days prior to such activities to determine the presence/absence, location, and status of any active nests on-site or within 100 feet of the site. The findings of the survey should be summarized in a report to be submitted to the City of Long Beach prior to undertaking construction activities at the site. The nesting survey and report the City shall include the name and qualifications of the qualified biologist or ornithologist and tree arborist. The report shall include a tree pruning or removal plan prepared by the arborist or landscape contractor which shall incorporate the following: a description of how work will occur (work must be performed using nonmechanized hand tools to the maximum extent feasible), limits of tree trimming and/or removal established in the field with flagging and stakes or construction fencing, and steps to be taken to ensure that tree trimming will be the minimum necessary to address the health and safety danger while avoiding or minimizing impacts to breeding and nesting birds and their habitat.
 - a. If nesting birds are found on-site, a construction buffer of 500 feet for nesting raptors or threatened or endangered species and 100 feet of all other nesting birds should be implemented around the active nests and demarcated with fencing or flagging. Nests should be monitored at a minimum of once per week by a qualified biologist until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance should occur within this buffer until the qualified biologist confirms that the breeding\nesting is completed, and all the young have fledged. If project activities must occur within the buffer, they should be conducted at the discretion of the qualified biologist.
 - b. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary, but all trimming/removal shall be in compliance with the Migratory Bird Treaty Act (MBTA).

36. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and Native American monitor. If the resources are Native American in origin, the tribe shall coordinate with the landowner regarding treatment and curation of these resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.
37. The applicant shall retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities:
 - a. The project applicant shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
 - b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
 - c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant upon written request to the Tribe.
 - d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

38. The applicant shall comply with the procedures for Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)
 - a. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.
39. The applicant shall comply with the procedures for Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects:
 - a. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
 - b. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
 - c. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
 - d. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
 - e. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.
40. During construction, in order to avoid archaeological resources, human remains, and paleontological resources plans containing specific details and logistics for carrying out the Program EIR will be prepared. The plans shall cover archaeological resources/human remains and paleontological resources, and would include: the professional qualification standards for archaeological and paleontological staff (following the Secretary of the Interior and Society for Vertebrate Paleontology, as applicable); communication protocols; a description and maps noting the locations/depths of where monitoring is required based on sensitivity and construction plans; training for construction personnel; the process for modifying monitoring frequency (reducing or discontinuing); protocols to follow in the event of a discovery, including work stoppage and notification procedures; an outline for significance evaluations of discovered resources; protocols for sampling, recovery, treatment, and analysis of resources; and reporting and curation requirements.
41. Cultural tribal monitoring with the local culturally affiliated tribe will still be required during construction. The project applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the culturally affiliated tribe and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The

monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

42. During clearing, grading, earthmoving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the following procedures, as specified in the SCAQMD Rule 403. All material excavated or graded shall be sufficiently watered in sufficient quantities to prevent the generation of visible dust plumes. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All material transported on-site or off-site shall be securely covered to prevent excessive amounts of dust. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust. These dust control techniques shall be indicated in project specifications
43. Hydrology and Water Quality:
 - a. Require, as a standard condition of approval prior to issuance of a grading permit, a Standard Urban Stormwater Mitigation Plan (SUSMP) shall be developed during the design of the proposed project. The final plan shall be submitted and approved by the City of Long Beach Department of Development Services. The SUSMP shall demonstrate how specific projects would minimize impervious surfaces, retain or treat stormwater runoff from the site, and implement designs consistent with the City of Long Beach Low Impact Development (LID) Best Management Practices (BMP) Design Manual (City of Long Beach 2013). The design shall include Source Control and Treatment BMPs and an Operations & Maintenance Plan for the proposed BMPs. The SUSMP shall address long-term effects on water quality within the Los Cerritos Channel/Alamitos Bay Watershed and the Los Angeles River Watershed and ensure BMPs and LID designs minimize potential water quality concerns to the maximum extent practicable.
44. Erosion and Sediment Control Plan
 - a. Require, as a standard condition of approval prior to issuance of a grading permit for projects that disturb soil, that project applicants shall be required to submit an Erosion and Sediment Control Plan (ESCP) to the City of Long Beach Development Services Director, or designee, for review and approval, in compliance with the Waste Discharge Requirements for Municipal Separate Storm Sewer System Discharges from the City of Long Beach (Order No. R4-2014-0024, NPDES No. CAS004003, as amended by

Order No. R4-2014-0024; City of Long Beach MS4 Permit). Stormwater Pollution Prevention Plans (SWPPPs) prepared in accordance with the requirements of the Construction General Permit can be accepted as ESCPs

45. The applicant shall comply with the comments provided by the Building and Safety Bureau, Long Beach Police, Long Beach Energy Resources and Long Beach Water Departments.

Final Map

46. Prior to the issuance of a building permit, the applicant shall submit the Final Map to the Public Works Department.
47. The Final Map is to be prepared in accordance with the approved Tentative Parcel Map and shall be filed within thirty-six (36) months from the date of approval by the Planning Commission of the Tentative Map, unless prior to expiration of the thirty-six month period, the Planning Bureau receives a written request from the subdivider for an extension of time, which receives approval from the Zoning Officer.
48. The Final Map shall be prepared to conform to all conditions, exceptions and requirements of Title 20 (Subdivision Ordinance) of the City of Long Beach, unless specified otherwise herein.
49. Prior to approval of the Final Map, the subdivider shall deposit sufficient funds with the City to cover the cost of processing the Final Map through the Department of Public Works. Furthermore, the subdivider shall pay the Planning processing fees for the Final Map.
50. Prior to the issuance of Certificate of Occupancy, the Final Map shall be recorded with the County Recorder's office.
51. All required off-site street improvements shall be financially provided for to the satisfaction of the Director of Public Works prior to approval of the Final Map or issuance of a building permit, whichever occurs first.
52. All County property taxes and all outstanding special assessments shall be paid in full prior to approval of the Final Map.

Building and Safety Conditions

53. The applicant shall comply with all comments from the Long Beach Building and Safety Bureau dated January 6, 2022.

Long Beach Police Conditions

54. 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 9, 2022.

Energy Resources Department Conditions

55. The applicant shall comply with all comments from the Long Beach Energy Resources Department dated April 4, 2023

Water Department Conditions

56. The applicant shall comply with all comments from the Long Beach Water Department dated March 14, 2023.

Public Works Conditions

57. The applicant shall comply with all comments from the Long Beach Department of Public Works dated March 17, 2023. The developer shall provide for the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

58. 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.
59. 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.
60. 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.
61. Prior to final map approval, the Subdivider shall submit its project Conditions, Covenants and Restrictions (CC&R's) for review and approval of the Director of Public Works.
62. 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.
63. 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.

64. The Subdivider 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 Subdivider and/ or successors shall be responsible for the cleanliness of the sidewalk/roadway adjacent to the refuse and recycling area and the overall development.
65. 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.

66. 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.
67. The Subdivider may be subject to street restoration requirements if an adjacent street/alley 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 Subdivider 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.

68. 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.
69. 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.**
70. 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.
71. Portions of the proposed project are located adjacent to the boundary line between the City of Long Beach and the City of Lakewood. As necessary, the Subdivider shall coordinate review and approval with the City of Lakewood prior to any building permit, to the satisfaction of the Director of Public Works.

PUBLIC RIGHT-OF-WAY

72. 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. 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.
73. 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, backflow preventers which must be installed on private property, 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.
74. 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

75. As illustrated on the submitted plans, Subdivider proposes to connect the project's accessible paths of travel to the existing raised bike path along Carson Street, adjacent to the project frontage. This proposal is not supported by Public Works. Subdivider shall instead provide a Portland Cement concrete connector from the bike lane to the pedestrian path of travel to discourage pedestrians from walking in the bike path. The existing bike path is not meant to serve as an accessible path of travel.
76. Subdivider shall provide a minimum of 4' accessible Portland Cement Concrete sidewalk around all existing obstructions along the accessible path of travel along Carson Street to the satisfaction of the Director of Public Works.
77. The Subdivider shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter along Carson Street adjacent to the site to the satisfaction of the Director of Public Works. The Subdivider shall assess the existing sidewalk adjacent to the project site for ADA compliance, and if found to be non-compliant, shall replace the existing sidewalk with a compliant design 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).
78. Subdivider shall contact the Street Tree Division prior to beginning the tree planting, landscaping, and any irrigation system work.
79. Subdivider shall improve the adjacent existing parkway along Carson Street with drought tolerant planting and irrigation to the satisfaction of the Director of Public Works.
80. Subdivider shall provide for new tree wells and street trees with root barriers and associated irrigation on Carson St., 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 Subdivider 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. All proposed street tree removals must be approved by the City Arborist and shall follow the tree removal procedure as outlined in the Public Works Tree Maintenance Policy. Subdivider 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.

81. 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.
82. The Subdivider shall confirm that the existing curb ramp in the southwest corner of the intersection of Carson Street and Long Beach Towne Center Drive is ADA compliant and per the latest City of Long Beach standards. If it is found that the existing curb ramp is not compliant, the Subdivider shall demolish the existing sidewalk and curb ramp and construct a new ADA compliant curb ramp to the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland Cement Concrete.
83. The Subdivider shall demolish the existing sidewalk and curb ramp located at the northwest corner of the proposed development and construct a new ADA compliant curb ramp to the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland Cement Concrete.
84. The Subdivider proposes improvements that may impact existing under- and above-ground utilities through and 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.
85. 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 and/or release of any building permit.
86. 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.
87. All rough grading shall be completed prior to the approval of the final map, otherwise the Subdivider shall be responsible for processing an appropriate grading bond. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be

corrected to the satisfaction of the Director of Public Works prior to the approval of the final map.

88. The Subdivider 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 Subdivider shall consult with the Department of Public Works to review and approve.
89. 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.
90. The Subdivider shall submit a drainage plan for approval by Public Works prior to issuance of a building permit. A separate application shall be applied for with Public Works for the review of said grading and drainage plan.
91. 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 Subdivider 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. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC AND TRANSPORTATION

92. The Subdivider 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.
93. The Subdivider shall be responsible to improve certain traffic signal related equipment to current California Manual On Uniform Traffic Control Devices (CA MUTCD) and/or City of Long Beach Standards. The traffic signal related equipment shall be within signalized intersections that are directly impacted by the Subdivider's project (i.e. the intersection of Carson Street and Long Beach Towne Center Drive). If not existing, the Traffic Signal related equipment shall include, but may not be limited to the following:
 - a. All pedestrian indications shall be upgraded to LED Countdown Modules within all pedestrian crossings.
 - b. All pedestrian push buttons shall be upgraded to Accessible Pedestrian Signals (APS)

- c. All street name signs shall be upgraded to the most current City Standard.
 - d. 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.
 - e. The Subdivider shall install a new traffic signal controller based on the most current City Standard, McCain 2070 Controllers.
94. Subdivider shall upgrade the existing crosswalk at the intersection of Long Beach Town Ctr Drive and Carson Street, that runs parallel to Carson Street, adjacent to the project site to thermoplastic continental crosswalks and install all new crosswalks per the most current City standard and to the satisfaction of the City Traffic Engineer.
95. Subdivider shall upgrade the existing crosswalk adjacent to the northwest corner of the project site to thermoplastic continental crosswalks and install all new crosswalks per the most current City standard and to the satisfaction of the City Traffic Engineer.
96. The Subdivider 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. 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.
97. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
98. The Subdivider shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
99. 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), current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
100. 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

101. 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 developer shall utilize best management practices (BMPs) and best available technology to achieve this. The developer shall post a clearly-legible sign on the exterior construction fencing with the phone number of a construction site compliant/issues coordinator responsible for managing truck and equipment idling. Upon the completion of construction, the developer shall also post a clearly-legible sign on the exterior of the wrought iron fencing with the phone number of a complaint/issues coordinator/manager 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 developer fails to remedy engine idling violations as required, until such time as the violations are remedied. All patrons and occupants of the project site shall be required to fill out and sign a Motor Vehicle Addendum, as submitted to the Department of Development Services and filed under Application No. 2112-17. The Applicant shall incorporate language into their individual lease agreements stipulating that occupants are prohibited from idling recreational vehicles for longer than 5 minutes while at the facility.

102. The Applicant shall be required to address all standards imposed by the California Department of Toxic Substances Control (DTSC) prior to the issuance of building permits.
103. Any street lights, pedestrian lights, parking lot lights, building 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.
104. Prior to issuance of a grading permit, the developer shall provide a construction staging plan to the Director of Development Services for review and approval. Prior to issuance of a grading or demolition permit (whichever occurs first), the developer 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) and approval shall be binding upon all hauling activities and construction truck trips by the developer.
105. The developer shall abide by 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 developer's hauling practices to be remedied.
106. 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 developer shall be required to submit an application for a Modification of Approved Permit (Planning Commission approval).

107. 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.
108. All forms of barbed wire and razor wire shall be prohibited throughout the site.
109. The developer shall provide final architectural plans and a sample of all final exterior finish and architectural materials and colors selected for construction to the Site Plan Review Committee for review, prior to issuance of a building permit. If the final building design or materials specifications are found to be below the standards approved in concept, the developer shall remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Site Plan Review Committee.
110. Any removed or replaced trees shall be replaced at a ratio of no less than one-to-one (1:1).
111. 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 public 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.
112. If, in the judgment of the Director of Development Services, criminal or nuisance behaviors become a problem at the project site to the detriment of neighboring businesses, residents, or land uses, the Director of Development Services or Chief of Police may require the property owner to provide for additional on-site security services or other measures as necessary to remedy the problem.
113. 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.
114. 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.
115. 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.

116. 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.
117. 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.
118. 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.
119. 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.
120. 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.
121. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
122. 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.
123. 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.
124. 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.
125. 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.

126. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
127. 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 application for a temporary certificate of occupancy, or certificate of occupancy. 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. On-site landscaping shall comply with Chapter 21.42 (Landscaping Standards), as applicable, to the satisfaction of the Director of Development Services. The landscape plan check shall be submitted as a separate submittal concurrent with the building plan check.
128. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - b. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - c. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - d. Sundays: not allowed
129. 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).
130. 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.
131. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
132. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
133. 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.

134. 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.
135. 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.
136. Any graffiti found on site shall be removed within 24 hours of its appearance.
137. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

CONDITIONS OF APPROVAL
7250 Carson Boulevard
Application No. 2112-17 (CUP21-025 & TPM21-009)
September 7, 2023

1. The following approvals are granted for this project:
 - A. Approval of a Program Environmental Impact Report (EIR) Compliance Checklist (PECC 02-23) to the General Plan Land Use and Urban Design Elements Draft Program EIR (SCH #2015051054);
 - B. Conditional Use Permit (CUP21-025) approval to allow the operation of a drive-through facility for a new detached restaurants proposed on the northeasterly portion of a vacant pad within the Long Beach Towne Center in the Regional Commercial Highway (CHW) Zoning District located at 7250 Carson Boulevard; and
 - C. Tentative Parcel Map approval to allow the subdivision of an existing 20-acre parcel into (2) two lots resulting in Parcel A, a 17.56-acre lot and Parcel B, a 2.44-acre lot. (District 4)
2. 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 for a one-year period, as permitted by Section 21.21.406 of the Long Beach Municipal Code (LBMC), based on a written and approved request submitted prior to the expiration of the subject grant.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the Conditions of Approval Acknowledgement Form supplied by the Planning Bureau. This acknowledgment form 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).

Special Conditions

4. The applicant shall comply with the Mitigation Measures specified in the Mitigation

Monitoring and Reporting Program of the General Plan Land Use and Urban Design Elements Draft Program EIR as described in the Program EIR Compliance Checklist (PECC 02-23), to the satisfaction of the Director of Development Services. These mitigation measures are attached to these conditions of approval and by this reference made a part hereof.

5. The site and design of the new detached fast food restaurant located on the northwesterly portion of the site shall be improved consistent with the plans (SPR21-085) approved by Site Plan Review Committee on April 12, 2023 and the Planning Commission on August 3, 2023, except as amended by the Conditions of Approval.
6. Any expansion of the drive-through facility shall be subject to a modification to the Conditional Use Permit.
7. No loading or unloading of any deliveries shall be allowed within the public right-of-way; such activities shall occur only within the subject site.
8. Deliveries shall not occur during regular business hours for both restaurants.
9. In order to comply with the Long Beach Climate Action Plan's Development Checklist's requirement to utilize 100% zero-carbon electricity and meet the 2030 Green House Gas reduction goal, the applicant shall:
 - A. Sign up for the Southern California Edison (SCE) Green Rate Program to procure carbon-free electricity and enroll as soon as an opening becomes available. As of August 3, 2023, Southern California Edison's (SCE) Green Rate program is not accepting new customers and has a waitlist available to prospective customers on a first-come, first-served basis. The applicant shall provide proof of waitlist prior to the issuance of Certificate of Occupancy and provide an update on the status of enrollment to the Planning Bureau not less than one time annually at the time of business license renewal.
 - B. If the business has not been enrolled into the SCE Green Rate Program within four (4) years of the date of approval by September 7, 2027, the application shall work with the Planning Bureau to file an application for a Site Plan Review Modification and/or building permit. The applicant shall demonstrate a good faith effort to file an application and obtain building permits within 12 months to:
 - i. Maximize on-site solar panels/photovoltaic (PV) cells to the extent feasible to offset onsite energy uses. Potential locations for onsite solar panels/PV cells include the rooftop of the restaurants, patio coverings, and parking stalls through the installation of solar carport canopies. Providing battery storage for the solar PV system to support and power onsite energy uses is highly encouraged; and
 - ii. Provide proof of a customer Power Purchase Agreement (PPA) for renewable energy.
10. The hours of operations, shall be limited to following hours:

a. Raising Canes: Monday through Sunday from 9:00 a.m. to 2:00 a.m.

11. Should the City receive calls for service during the permitted hours of operation, the applicant shall work with the Development Services Department to modify the business operations to address nuisance activity including but not limited to addition of security.
12. The applicant may only extend the business hours of operation until 3:30am with the incorporation of onsite security subject to the review and written approval of the Zoning Administrator.
13. To ensure efficiency of the drive through facility, the applicant shall include the usage mobile tablet computers operated by employees for the drive through facilities during peak hours and as necessary to improve and prevent queuing buildup of the drive through facility.
14. In the event that drive through facility results in over flow and circulation impacts to the site, the adjacent restaurant or queuing spillover from the project site into the private internal roadways, the applicant shall work with the City Planning staff to strategize a resolution to mitigate these impacts, which may include requiring a modification to reconfiguration of the drive through circulation design.
15. At the time of plan check submittal the applicant shall include a raised pedestrian crosswalks for any pedestrian pathways that crosses through the drive through lanes of both restaurants.
16. The applicant shall install informational signs "do not block walkways" signage within the drive through lanes that intersect with the pedestrian walkways to prevent vehicles from obstructing the walkways.
17. The applicant shall provide clear pavement markings for the entrance of the drive through aisles and the direction of traffic flow.
18. The applicant shall install and maintain two (2) vehicle queue drive through entry way that leads into the Raising Canes drive through lanes as shown on the plans submitted under Case No. 2112-17.
19. The menu board shall meet a four (4) minimum vehicle queuing for both drive through facilities for both restaurants.
20. The applicant shall install the dual pedestrian and bicyclist pathways proposed on the northern portion of the site accessed from Carson Street to both restaurants.
21. Noise levels emanating from the project site shall not exceed applicable noise standards specified in Long Beach Municipal Code Section 8.80.150 - Exterior Noise Limits.
22. The applicant shall install landscaping along the southerly most portion of the patio

area of Raising Canes to create a buffer between the outdoor seating area and the drive through lanes.

23. The site, including all landscaped areas, parking areas, walls, structures, and adjacent rights-of-way, 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.
24. The applicant shall submit an application for a Sign Program for all project site buildings. 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 and shall be consistent with existing Long Beach Towne Center Sign Program.
25. The applicant shall provide decorative paving along the project entries and pedestrian area including the patio areas of both restaurants to enhance the pedestrian environment.
26. 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 project and shall include an architecturally compatible solid roof structure. The trash enclosure shall include refuse, organic and recycling bins. All trash receptacle areas shall be located and constructed in accordance with Section 21.45.167 of the Zoning Regulations.
27. The trash enclosures shall include a three (3) foot wide planters with low-growing plant materials.
28. The project landscaping shall comply with the Water Efficient Landscaping standards of Chapter 21.42 of the Zoning Regulations.
29. The applicant must submit complete landscape and irrigation plans for the approval of the Director of Development Services, as a separate, but concurrent plan check with the building plans.
30. Building permits will not be issued prior to the approval of a landscape permit (LBMC 21.42.030.C).
31. All landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted primarily 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.
32. The applicant, and potential landscaping contracts for the subject property, shall utilize electric lawn and garden equipment, outdoor power equipment, and other small equipment to eliminate the worsened air quality impact of gasoline-powered

and combustion engine equipment onsite for landscape management and site maintenance.

33. Pursuant to section 21.45.400 (i), the project shall provide:
- 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;
 - 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 shall be provided adjacent to the area for the collection of waste.
34. Any minor site changes to the plans approved by the Planning Commission on August 3, 2023, in keeping with the intent of the environmental evaluation completed in the Program Environmental Impact Report (EIR) Compliance Checklist (PECC 02-23) of the project, may be approved at the discretion of the Director of Development Services.
35. The applicant shall obtain all necessary permits by all City, County and State agencies.
36. For any major substantial changes, the applicant shall be required to submit an application for a Modification of an Approved Permit (Planning Commission approval) and shall require further environmental review, subject to applicable fees.
37. Prior to the issuance of building permits and commencement of construction activities, the applicant or construction contractor shall notify adjacent and adjoining property owners/occupants of the initiation of construction activities. The notification shall include the days and hours of construction and contact information for potential complaints.
38. Site Maintenance. All areas visible from public rights-of-way shall be kept clean and orderly in compliance with the provisions of the property maintenance ordinance, Chapter 8.76 of the Municipal Code. All broken, cracked, depressed or damaged curbs and sidewalks shall be repaired. No vehicle or equipment repair use shall allow dirt, grime, oil or any chemicals to drain across the public sidewalk

or alley in a manner that stains or discolors the sidewalk or alley.

39. To the extent feasible, removal of any tree and/or vegetation suitable for nesting of birds shall not occur during the bird breeding season of January through September, but variable based on seasonal and annual climatic conditions. If initial clearing activities, prior to construction, take place during nesting season, a nesting bird survey shall be performed by a qualified biologist within three days prior to such activities to determine the presence/absence, location, and status of any active nests on-site or within 100 feet of the site. The findings of the survey should be summarized in a report to be submitted to the City of Long Beach prior to undertaking construction activities at the site. The nesting survey and report the City shall include the name and qualifications of the qualified biologist or ornithologist and tree arborist. The report shall include a tree pruning or removal plan prepared by the arborist or landscape contractor which shall incorporate the following: a description of how work will occur (work must be performed using nonmechanized hand tools to the maximum extent feasible), limits of tree trimming and/or removal established in the field with flagging and stakes or construction fencing, and steps to be taken to ensure that tree trimming will be the minimum necessary to address the health and safety danger while avoiding or minimizing impacts to breeding and nesting birds and their habitat.
 - A. If nesting birds are found on-site, a construction buffer of 500 feet for nesting raptors or threatened or endangered species and 100 feet of all other nesting birds should be implemented around the active nests and demarcated with fencing or flagging. Nests should be monitored at a minimum of once per week by a qualified biologist until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance should occur within this buffer until the qualified biologist confirms that the breeding\nesting is completed, and all the young have fledged. If project activities must occur within the buffer, they should be conducted at the discretion of the qualified biologist.
 - B. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary, but all trimming/removal shall be in compliance with the Migratory Bird Treaty Act (MBTA).
40. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and Native American monitor. If the resources are Native American in origin, the tribe shall coordinate with the landowner regarding treatment and curation of these resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.
41. The applicant shall retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities:

- A. The project applicant shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
 - B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
 - C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant upon written request to the Tribe.
 - D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.
42. The applicant shall comply with the procedures for Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)
- A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.
43. The applicant shall comply with the procedures for Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects:
- A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal

completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

- B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
 - C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
 - D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
 - E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.
44. During construction, in order to avoid archaeological resources, human remains, and paleontological resources plans containing specific details and logistics for carrying out the Program EIR will be prepared. The plans shall cover archaeological resources/human remains and paleontological resources, and would include: the professional qualification standards for archaeological and paleontological staff (following the Secretary of the Interior and Society for Vertebrate Paleontology, as applicable); communication protocols; a description and maps noting the locations/depths of where monitoring is required based on sensitivity and construction plans; training for construction personnel; the process for modifying monitoring frequency (reducing or discontinuing); protocols to follow in the event of a discovery, including work stoppage and notification procedures; an outline for significance evaluations of discovered resources; protocols for sampling, recovery, treatment, and analysis of resources; and reporting and curation requirements.
45. Cultural tribal monitoring with the local culturally affiliated tribe will still be required during construction. The project applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the culturally affiliated tribe and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.
46. During clearing, grading, earthmoving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the following procedures, as specified in the SCAQMD Rule 403. All material excavated or graded shall be sufficiently watered in sufficient quantities

to prevent the generation of visible dust plumes. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All material transported on-site or off-site shall be securely covered to prevent excessive amounts of dust. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust. These dust control techniques shall be indicated in project specifications

47. Hydrology and Water Quality:

- A. Require, as a standard condition of approval prior to issuance of a grading permit, a Standard Urban Stormwater Mitigation Plan (SUSMP) shall be developed during the design of the proposed project. The final plan shall be submitted and approved by the City of Long Beach Department of Development Services. The SUSMP shall demonstrate how specific projects would minimize impervious surfaces, retain or treat stormwater runoff from the site, and implement designs consistent with the City of Long Beach Low Impact Development (LID) Best Management Practices (BMP) Design Manual (City of Long Beach 2013). The design shall include Source Control and Treatment BMPs and an Operations & Maintenance Plan for the proposed BMPs. The SUSMP shall address long-term effects on water quality within the Los Cerritos Channel/Alamitos Bay Watershed and the Los Angeles River Watershed and ensure BMPs and LID designs minimize potential water quality concerns to the maximum extent practicable.

48. Erosion and Sediment Control Plan

- A. Require, as a standard condition of approval prior to issuance of a grading permit for projects that disturb soil, that project applicants shall be required to submit an Erosion and Sediment Control Plan (ESCP) to the City of Long Beach Development Services Director, or designee, for review and approval, in compliance with the Waste Discharge Requirements for Municipal Separate Storm Sewer System Discharges from the City of Long Beach (Order No. R4-2014-0024, NPDES No. CAS004003, as amended by Order No. R4-2014-0024; City of Long Beach MS4 Permit). Stormwater Pollution Prevention Plans (SWPPPs) prepared in accordance with the requirements of the Construction General Permit can be accepted as ESCPs

49. The applicant shall comply with the comments provided by the Building and Safety Bureau, Long Beach Police, Long Beach Energy Resources and Long Beach Water Departments.

Final Map

- 50. Prior to the issuance of a building permit, the applicant shall submit the Final Map to the Public Works Department.
- 51. The Final Map is to be prepared in accordance with the approved Tentative Parcel

Map and shall be filed within thirty-six (36) months from the date of approval by the Planning Commission of the Tentative Map, unless prior to expiration of the thirty-six month period, the Planning Bureau receives a written request from the subdivider for an extension of time, which receives approval from the Zoning Officer.

52. The Final Map shall be prepared to conform to all conditions, exceptions and requirements of Title 20 (Subdivision Ordinance) of the City of Long Beach, unless specified otherwise herein.
53. Prior to approval of the Final Map, the subdivider shall deposit sufficient funds with the City to cover the cost of processing the Final Map through the Department of Public Works. Furthermore, the subdivider shall pay the Planning processing fees for the Final Map.
54. Prior to the issuance of Certificate of Occupancy, the Final Map shall be recorded with the County Recorder's office.
55. All required off-site street improvements shall be financially provided for to the satisfaction of the Director of Public Works prior to approval of the Final Map or issuance of a building permit, whichever occurs first.
56. All County property taxes and all outstanding special assessments shall be paid in full prior to approval of the Final Map.

Building and Safety Conditions

57. The applicant shall comply with all comments from the Long Beach Building and Safety Bureau dated January 6, 2022.

Long Beach Police Conditions

58. 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 9, 2022.

Energy Resources Department Conditions

59. The applicant shall comply with all comments from the Long Beach Energy Resources Department dated April 4, 2023

Water Department Conditions

60. The applicant shall comply with all comments from the Long Beach Water Department dated March 14, 2023.

Public Works Conditions

61. The applicant shall comply with all comments from the Long Beach Department of Public Works dated March 17, 2023. The developer shall provide for the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

62. 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.
63. 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.
64. 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.
65. Prior to final map approval, the Subdivider shall submit its project Conditions, Covenants and Restrictions (CC&R's) for review and approval of the Director of Public Works.
66. 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.
67. 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.
68. The Subdivider 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 Subdivider and/ or successors shall be responsible for the cleanliness of the sidewalk/roadway adjacent to the refuse and recycling area and the overall development.
69. Prior to the start of ANY demolition, excavation, or construction, the Subdivider shall,
 - v. Submit a construction plan for pedestrian protection, construction staging, scaffolding and excavations, and

- vi. 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
- vii. Submit a plan for construction area and/or site perimeter fencing with custom printed screen(s),
- viii. 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.

- 70. 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.
- 71. The Subdivider may be subject to street restoration requirements if an adjacent street/alley 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 Subdivider 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.
- 72. 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.
- 73. 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.**

74. 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.
75. Portions of the proposed project are located adjacent to the boundary line between the City of Long Beach and the City of Lakewood. As necessary, the Subdivider shall coordinate review and approval with the City of Lakewood prior to any building permit, to the satisfaction of the Director of Public Works.

PUBLIC RIGHT-OF-WAY

76. 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. 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.
77. 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, backflow preventers which must be installed on private property, 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.
78. 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

79. As illustrated on the submitted plans, Subdivider proposes to connect the project's accessible paths of travel to the existing raised bike path along Carson Street, adjacent to the project frontage. This proposal is not supported by Public Works. Subdivider shall instead provide a Portland Cement concrete connector from the bike lane to the pedestrian path of travel to discourage pedestrians from walking in the bike path. The existing bike path is not meant to serve as an accessible path of travel.

80. Subdivider shall provide a minimum of 4' accessible Portland Cement Concrete sidewalk around all existing obstructions along the accessible path of travel along Carson Street to the satisfaction of the Director of Public Works.
81. The Subdivider shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter along Carson Street adjacent to the site to the satisfaction of the Director of Public Works. The Subdivider shall assess the existing sidewalk adjacent to the project site for ADA compliance, and if found to be non-compliant, shall replace the existing sidewalk with a compliant design 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).
82. Subdivider shall contact the Street Tree Division prior to beginning the tree planting, landscaping, and any irrigation system work.
83. Subdivider shall improve the adjacent existing parkway along Carson Street with drought tolerant planting and irrigation to the satisfaction of the Director of Public Works.
84. Subdivider shall provide for new tree wells and street trees with root barriers and associated irrigation on Carson St., 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 Subdivider 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. All proposed street tree removals must be approved by the City Arborist and shall follow the tree removal procedure as outlined in the Public Works Tree Maintenance Policy. Subdivider 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.
85. 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.
86. The Subdivider shall confirm that the existing curb ramp in the southwest corner of the intersection of Carson Street and Long Beach Towne Center Drive is ADA compliant and per the latest City of Long Beach standards. If it is found that the existing curb ramp is not compliant, the Subdivider shall demolish the existing

sidewalk and curb ramp and construct a new ADA compliant curb ramp to the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland Cement Concrete.

87. The Subdivider shall demolish the existing sidewalk and curb ramp located at the northwest corner of the proposed development and construct a new ADA compliant curb ramp to the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland Cement Concrete.
88. The Subdivider proposes improvements that may impact existing under- and above-ground utilities through and 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.
89. 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 and/or release of any building permit.
90. 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.
91. All rough grading shall be completed prior to the approval of the final map, otherwise the Subdivider shall be responsible for processing an appropriate grading bond. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected to the satisfaction of the Director of Public Works prior to the approval of the final map.
92. The Subdivider 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 Subdivider shall consult with the Department of Public Works to review and approve.
93. 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.

94. The Subdivider shall submit a drainage plan for approval by Public Works prior to issuance of a building permit. A separate application shall be applied for with Public Works for the review of said grading and drainage plan.
95. 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 Subdivider 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. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC AND TRANSPORTATION

96. The Subdivider 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.
97. The Subdivider shall be responsible to improve certain traffic signal related equipment to current California Manual On Uniform Traffic Control Devices (CA MUTCD) and/or City of Long Beach Standards. The traffic signal related equipment shall be within signalized intersections that are directly impacted by the Subdivider's project (i.e. the intersection of Carson Street and Long Beach Towne Center Drive). If not existing, the Traffic Signal related equipment shall include, but may not be limited to the following:
 - A. All pedestrian indications shall be upgraded to LED Countdown Modules within all pedestrian crossings.
 - B. All pedestrian push buttons shall be upgraded to Accessible Pedestrian Signals (APS)
 - C. All street name signs shall be upgraded to the most current City Standard.
 - D. 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.
 - E. The Subdivider shall install a new traffic signal controller based on the most current City Standard, McCain 2070 Controllers.
98. Subdivider shall upgrade the existing crosswalk at the intersection of Long Beach Town Ctr Drive and Carson Street, that runs parallel to Carson Street, adjacent to the project site to thermoplastic continental crosswalks and install all new crosswalks per the most current City standard and to the satisfaction of the City Traffic Engineer.

99. Subdivider shall upgrade the existing crosswalk adjacent to the northwest corner of the project site to thermoplastic continental crosswalks and install all new crosswalks per the most current City standard and to the satisfaction of the City Traffic Engineer.
100. The Subdivider 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. 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.
101. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
102. The Subdivider shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
103. 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), current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
104. 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

105. 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 developer shall utilize best management practices (BMPs) and best available technology to achieve this. The developer shall post a clearly-legible sign on the exterior construction fencing with the phone number of a construction site compliant/issues coordinator responsible for managing truck and equipment idling. Upon the completion of construction, the developer shall also post a clearly-legible sign on the exterior of the wrought iron fencing with the phone number of a complaint/issues coordinator/manager 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 developer fails to remedy engine idling violations as required, until such time as the violations are remedied. All patrons and occupants of the project site shall be required to fill out and sign a Motor Vehicle Addendum, as submitted to the Department of Development Services and filed under Application No. 2112-17. The Applicant shall incorporate language into their individual lease agreements stipulating that occupants are prohibited from idling recreational vehicles for longer than 5 minutes while at the facility.
106. The Applicant shall be required to address all standards imposed by the California Department of Toxic Substances Control (DTSC) prior to the issuance of building

permits.

107. Any street lights, pedestrian lights, parking lot lights, building 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.
108. Prior to issuance of a grading permit, the developer shall provide a construction staging plan to the Director of Development Services for review and approval. Prior to issuance of a grading or demolition permit (whichever occurs first), the developer 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) and approval shall be binding upon all hauling activities and construction truck trips by the developer.
109. The developer shall abide by 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 developer's hauling practices to be remedied.
110. 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 developer shall be required to submit an application for a Modification of Approved Permit (Planning Commission approval).
111. 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.
112. All forms of barbed wire and razor wire shall be prohibited throughout the site.
113. Any removed or replaced trees shall be replaced at a ratio of no less than one-to-

one (1:1).

114. The developer shall provide final architectural plans and a sample of all final exterior finish and architectural materials and colors selected for construction to the Site Plan Review Committee for review, prior to issuance of a building permit. If the final building design or materials specifications are found to be below the standards approved in concept, the developer shall remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Site Plan Review Committee.
115. 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.
116. 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 public 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.
117. If, in the judgment of the Director of Development Services, criminal or nuisance behaviors become a problem at the project site to the detriment of neighboring businesses, residents, or land uses, the Director of Development Services or Chief of Police may require the property owner to provide for additional on-site security services or other measures as necessary to remedy the problem.
118. 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.
119. 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.
120. 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.
121. 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.
122. 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.
123. 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.
 124. 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.
 125. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
 126. 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.
 127. 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.
 128. 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.
 129. 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.
 130. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
 131. 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 application for a temporary certificate of occupancy, or certificate of occupancy. 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. On-site landscaping shall comply with Chapter

21.42 (Landscaping Standards), as applicable, to the satisfaction of the Director of Development Services. The landscape plan check shall be submitted as a separate submittal concurrent with the building plan check.

132. 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
133. 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).
134. 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.
135. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
136. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
137. 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.
138. 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.
139. 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.

140. Any graffiti found on site shall be removed within 24 hours of its appearance.
141. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach