

**LOCAL COASTAL DEVELOPMENT PERMIT and
STANDARDS VARIANCE
CONDITIONS OF APPROVAL**

**Application No. 2108-31 (SV21-004, SV21-006, LCDP21-043)
5925 East Seaside Walk
June 2, 2022**

Special Conditions:

1. The following approvals are granted for this project:
 - A. Demolition of an existing duplex and construction of a new residential duplex with an attached four-car garage in the R-2-I (Two-Family Residential District with Intensified Development on the Lots) Zoning District, shown on plans received by the Department of Development Services – Planning Bureau in January 2022. These plans are on file in this office, except as amended herein.
 - B. A Standards Variance request to reduce required development standards in conjunction with the construction of the duplex. The requested code exceptions are as follows with the recommendations in the findings:
 - APPROVE - a request to allow a four-foot garage setback (where 20-feet is required) (SV21-004); and
 - APPROVE - a request to allow two tandem parking spaces for a total of four (4) parking spaces within an enclosed garage (instead of four [4] independently accessible parking spaces) (SV21-005).
2. *Prior to the issuance of building permits, the final floor plan shall be revised to provide direct interior access to the garage from each of the onsite residential units.*
3. *All rental and lease documents shall include an explicit statement noting each unit's access to two (2) tandem parking spaces in the enclosed garage.*
4. *Upon request, the property owner shall provide proof of compliance with rental and lease terms that document compliance with these conditions of approval.*
5. *Prior to the issuance of building permits, the final floor plan shall be revised to provide sufficient clearance in the interior of the garage for vehicle door swing without obstruction. A minimum of nine (9) to ten (10) feet of width shall be provided for each parking space.*
6. Prior to the issuance of building permits, a construction staging, and management plan shall be submitted to the Director of Development

Services for review and approval.

7. The proposed duplex shall remain as a residential structure for two-dwelling units in conformance with the Chapter 21.11, No Net Loss, of the Long Beach Municipal Code.
8. Construction staging, equipment, and materials shall not impede public access to the coast for both vehicular and pedestrian traffic.
9. During construction, the developer shall implement Best Management Construction methods minimize water runoff and debris in accordance with all applicable state, regional, and local requirements.
10. No trees within the public right-of-way shall be trimmed or removed as part of this Local Coastal Development Permit.
11. The new garage shall be used for storage of cars only and must never be employed or converted for another use. Any conversion or use of garage parking spaces other than for the parking of vehicles shall require a valid building permit. This must be reflected in the final plans submitted to the Department of Development Services.
12. The use of invasive plant species, such as those listed by the California Invasive Plant Council, shall be prohibited in the Coastal Zone.
13. The site shall maintain 50 percent of the required front yard setbacks as live plant material in accordance with Section 21.42.030 of the Municipal Code and as shown on plans. Any revision to the amount of landscaped area shall be in accordance with zoning code requirements.
14. Pursuant to Section 21.42.050 of the City Municipal Code, one (1) large canopy street tree (public right-of-way), of not less than twenty-four inch (24") box size, shall be provided for each twenty-five feet (25') of property line length. An in-lieu fee paid shall be provided for any tree required in Subsection 21.42.050.B.1 that is not allowed based on siting requirements outlined in the Municipal Code.
15. If initial construction activities take place during the bird nesting season (January through September), a nesting bird survey shall be performed by a qualified biologist within three days of 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.
 - 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 the 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.
16. All final design details for utilities, foundations/footings, and building areas below grade shall be finalized with consideration of potential groundwater impacts for the life of the development. Final structural designs shall consider projected groundwater levels and adaptation measures. Details for adaptation measures shall be explicitly noted on final plans for building permit issuance.
 17. Improvements within the public right-of-way adjacent to the site shall be limited to flatwork or landscaping subject to the approval of the Director of Public Works. Any existing encroachments that violate the standards established by the Department of Public Works for encroachments into the public right-of-way shall be removed prior to the approval of rough framing inspection.
 18. The Applicant is hereby advised that no encroachments in the public right-of-way shall be constructed, unless specifically approved by the Director of Public Works and Director of Development Services, or through the approval of a Local Coastal Development Permit or coastal approval by the California Coastal Commission. An encroachment is any private improvement which extends beyond the subject property boundaries. Only certain minor encroachments such as native landscape and hardscape that do not impede access to the coast may be approved. Encroachments in the public right-of-way that impede access to the coast shall not be installed.
 19. The owner shall record a Restrictive Covenant, to be provided by the Director of Development Services, with the Los Angeles County Registrar-Recorder's office prior to the issuance of building permits. The covenant shall document that the owner acknowledges the location of the abutting public right-of-way adjacent to the subject property and that no structures (beyond flatwork and landscaping) shall be installed within the public right-of-way without prior approval by the Director of Public Works.
 20. To ensure notification of all interested parties and successors in interest, that the City of Long Beach issued an approval of a Local Coastal Development Permit at the subject property, the current property owner shall record the conditions of approval on the property title, in a form

approved by the City Attorney, with the Los Angeles County Registrar-Recorder's office prior to the issuance of building permits. The Notice of Restriction shall include a complete property description, the conditions of approval as an exhibit, and contain the notarized signature of the property owner(s). The Notice shall not be removed or amended without the prior written approval of the Director of Development Services.

21. The Applicant is hereby advised that sea-level rise could potentially cause physical hazards, such as beach erosion, flooding, and saltwater intrusion upon the subject property. This condition of approval serves in an advisory capacity and does not constitute a vulnerability assessment. The Applicant is encouraged to include adaptive capacity in development with measures such as waterproofing, flood shields, watertight doors, moveable flood walls, partitions, and other floodproofing techniques.

Standard Conditions:

22. This permit and all development rights hereunder shall terminate three years from the effective date of this permit unless construction is commenced, or a time extension is granted, based on a written and approved request submitted prior to the expiration of the three-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
23. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all the design changes, if any, set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
24. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
25. 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, which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.

26. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Planning and Building Bureaus. These conditions must be printed on the site plan or a subsequent reference page.
27. All plans submitted for plan review must explicitly call out and describe all materials, textures, and colors approved by the Zoning Administrator. No substantial changes shall be made without prior written approval of the Zoning Administrator.
28. The Director of Long Beach Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator.
29. Site development, including landscaping, shall conform to the approved plans on file in Long Beach Development Services. At least one set of approved plans containing Planning, Historic Preservation, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
30. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
31. 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. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
32. Any graffiti found on site must be removed within 24 hours of its appearance.
33. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
34. Separate building permits are required for fences, retaining walls, and flagpoles.

35. 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.
36. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
37. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays and Federal Holidays: not permitted
38. Any off-site improvements found to be damaged shall be replaced to the satisfaction of the Director of Public Works.
39. All unused curb cuts shall be replaced with full height curb, gutter and sidewalk and shall be reviewed, approved and constructed to the specifications of the Director of Public Works.
40. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.