

EXHIBIT D
CONDITIONAL USE PERMIT FINDINGS
3525 E. Anaheim St.
Application No. 1804-01 (CUP18-007)
Date: November 15, 2018

These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings. Pursuant to Long Beach Municipal Code section 21.52.206 "Automobile related services", the Planning Commission shall approve a Conditional Use Permit (CUP) if the proposed land use complies with State and local regulations and if all of the following findings are made.

1. IN THE CB DISTRICT, SUCH USES SHALL BE LIMITED TO LOCATIONS INSIDE PARKING STRUCTURES;

The subject property is not located in the CB district – therefore, this condition is not applicable.

2. IN THE CR AND CO ZONES, CONDITIONAL USE PERMITS SHALL BE LIMITED TO THE EXPANSION OF EXISTING NONCONFORMING USES;

The subject property is not located in the CR or CO zones – therefore, this condition is not applicable.

3. AUTOMOBILE SERVICE STATION USES SHALL BE LIMITED TO: RETAIL SALES OF FUEL, OIL AND SMALL VEHICLE PARTS;

The proposed project is not an automobile service station – therefore, this condition is not applicable.

4. THE PROPOSED USE SHALL NOT INTRUDE INTO A CONCENTRATION OF RETAIL USES AND SHALL NOT IMPEDE PEDESTRIAN CIRCULATION BETWEEN RETAIL USES;

The proposed project replaces and improves upon a former car wash on the same site. The proposed project also introduces new pedestrian-oriented commercial and retail spaces on site and improves pedestrian circulation by removing two over-sized and non-conforming driveways along the site's primary frontage on Anaheim Street.

5. THE PROPOSED USE SHALL NOT CREATE UNREASONABLE OBSTRUCTIONS TO TRAFFIC CIRCULATION AROUND OR NEAR THE SITE;

The removal of two over-sized and non-conforming driveways on Anaheim Street will increase through traffic circulation for motorists, and it will remove potential traffic conflicts with the existing bus shelter adjacent to the project site. All vehicular access to the site will be routed to an existing curb cut on Newport Avenue.

6. NO CURB CUTS SHALL BE PERMITTED WITHIN FORTY FEET (40') OF ANY PUBLIC ROADWAY INTERSECTION;

The site's proposed curb cut and driveway from Newport Avenue is located approximately 80-feet from the closest public roadway intersection located at Anaheim Street and Newport Avenue.

7. NO VEHICLES MAY BE STORED AT THE SITE FOR PURPOSES OF SALE, UNLESS THE USE IS ALSO A VEHICLE SALES LOT OR FOR THE USE AS PARTS FOR VEHICLES UNDER REPAIR;

The proposed project or future businesses will not include automobile sales, repairs or storage of vehicles – therefore, this condition is not applicable.

8. THE SITE SHALL COMPLY WITH ALL APPLICABLE DEVELOPMENT STANDARDS FOR OPEN STORAGE AND REPAIR USES SPECIFIED IN [CHAPTER 21.45](#), "SPECIAL DEVELOPMENT STANDARDS".

The following development standards are applicable to the proposed use, and will be included in the conditions of approval:

21.45.150 - Outdoor service and repair of vehicles and equipment.

- A. **Building Required.** A building containing not less than three hundred (300) square feet of floor area shall be provided on the same parcel or an adjacent parcel associated with the same business. The building shall contain, at a minimum, employee restroom facilities and private office space for the business.
- B. **Open Uses Allowed.** Unless otherwise restricted below, vehicle and equipment repair or maintenance may occur in open areas provided that appropriate screening is installed in accordance with the screening requirements of this Section.
- C. **Open Uses Prohibited.** Painting, except color match testing and sandblasting shall not occur in the open.
- D. **Parts and Sales Restriction.** Vehicles or equipment parked or stored on the site shall not be used as a source of parts and shall not be sold unless the business is also licensed for vehicle or equipment sales.

E. **Hours of Operation.** Outdoor vehicle or equipment repair and maintenance shall occur only between the hours of seven (7:00) a.m. and ten (10:00) p.m.

F. **Noise.** Outdoor vehicle or equipment repair and maintenance activities shall not violate the City noise ordinance, Chapter 8.80 of the Municipal Code.

G. **Screening of Work Areas.**

1. **Abutting or Adjoining Residential Uses.** All property lines which abut or adjoin a district allowing residential uses shall be provided with a solid fence or wall not less than six feet (6') in height. Fences or walls on property lines abutting or adjoining front yard areas may not exceed three feet (3') in height.

2. **Across Alley From Residential Use.** All property lines which abut or adjoin an alley across which residential uses are allowed shall be provided with a solid fence or wall not less than six feet (6') in height. However, for security reasons, the fence or wall may contain gates or other open areas, provided the open area does not exceed twenty percent (20%) of the entire fence or wall length. The Director of Planning and Building may accept open decorative fences such as wrought iron in lieu of the solid fence or wall, provided wrecked and disassembled vehicles or work service areas are not visible through the fence.

H. **Screening of Wrecked or Dismantled Vehicles.** Any wrecked or dismantled vehicles or equipment parked overnight or stored on a site in the open shall be screened from the street by a solid fence or wall not less than six feet (6') in height. However, for security reasons, fences which abut alleys or residential streets, or fences which face a major highway, a minor highway or principal street, may contain open fence areas, as long as the open area does not exceed twenty percent (20%) of the entire fence or wall length.

I. **Vehicles Outside Screening.** All vehicles or equipment parked or stored outside an area fully screened pursuant to Subsections 21.45.150.G and 21.45.150.H shall be parked or stored in a neat and orderly manner. Vehicles shall be parked parallel to each other and to property lines and/or buildings. Vehicles shall not be wrecked or dismantled; shall have hoods, trunks and doors closed; shall not be dirty or dusty; and shall not be parked or stored on public property or public rights-of-way.

- J. **Surfacing.** All areas used for open vehicle and equipment repair, parking or storage shall be improved with a fully paved surface and raised concrete curbing not less than six inches (6") in height.
- K. **Curb Cuts.** All unused curb cuts shall be closed and replaced with a full height curb and sidewalk. Curb cuts shall not exceed twenty-four feet (24') in width.
- L. **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 which stains or discolors the sidewalk or alley.