

**CONDITIONAL USE PERMIT
CONDITIONS OF APPROVAL
App. No. 1811-01 (CUP18-033)
Date: January 17, 2019**

1. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request approved by the Zoning Administrator, submitted prior to the expiration of the two year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The use permitted on the subject site, in addition to other uses permitted at the location is as follows:
 - The operation of a 1,138-square-foot veterinary use with on-site kitten nursery (boarding) within an existing building in a multi-tenant shopping center located at 1179 East Wardlow Road in the Community Automobile-Oriented (CCA) Zoning District.

Special Conditions:

3. A Conditional Use Permit (CUP) approval is required, prior to the issuance of a City Business License.
4. The applicant shall obtain a City of Long Beach Business License.
5. The applicant shall establish 1179 East Wardlow Road as an address with the Building Bureau.
6. The applicant shall obtain a building permit to install a fabric awning over the entry door to match the adjoining tenant spaces. The fabric awning shall include the tenant space address.
7. Boarding in the kitten nursery shall be limited to kittens ages zero to eight weeks old. A limited number of mother cats can be boarded with their kittens to provide nursing during the duration of the kittens' boarding. Mother cats shall only be boarded in the tenant space while nursing kittens.
8. The maximum number of kittens (and limited number of mother cats) shall be limited to 50 kittens/cats.
9. Hours of care for kittens in the nursery shall be 24 hours a day, seven days a week. A minimum of one (1) veterinarian and/or staff member shall be present 24 hours a day, seven days a week.

10. The City of Long Beach Animal Care Services Bureau of the Department of Parks, Recreation and Marine (ACS) shall perform monthly inspections during the first year of operation.
11. The Planning Bureau will track all complaints within the first 12 months of operation. If complaints are documented within this period, the applicant would be required to work with the City to implement and document measures to monitor interior noise levels at adjacent tenant spaces, including but not limited to an annual noise monitoring study.
12. A site plan showing the number, layout, and dimensions of the kitten enclosures shall be submitted to the Planning Bureau prior to the approval of a City of Long Beach Business License.
13. The applicant shall maintain standards compatible with the *Association of Shelter Veterinarian's Guidelines for Standards of Care in Animal Shelters* in the overnight housing and care of the kittens.
14. Limited adoptions by the public and accessory sales of kitten supplies and toys shall be permitted in the tenant space.
15. The proposed use shall be required to undergo an annual reinspection to verify compliance with the conditions of approval pursuant to Section 21.25.412 (Annual reinspection.) of the Long Beach Municipal Code. The property owner shall be required to pay an annual fee to the City as established by the City Council to cover the costs of the reinspection program. The fees associated with annual zoning inspections are established in the Planning Bureau Fee Schedule.
16. All activities associated with the proposed use, including veterinary care, treatment, feeding, and relief, shall be conducted entirely indoors.
17. The applicant shall maintain records for all kittens entering the facility for not less than two years.
18. Conditions of approval shall be provided to all new staff and volunteers prior to initiating work in the veterinary clinic or the kitten nursery. A signed form shall be retained to acknowledge the rules and policies that include, but are not limited to:
 - Kitten drop-off and pickup procedures,
 - Noise regulations, and
 - Responsiveness to in-person complaints
19. All activities must be confined within a building that is fully air-conditioned

- and sound-proofed to the standards of the noise ordinance, Chapter 8.80 of the Municipal Code.
20. The operation of the proposed kitten nursery shall not rely on the City public right-of-way for the operation of essential business functions, including but not limited to kitten treatment, exercise, and relief areas.
 21. A door or gate shall be installed at all exits and the reception area to prevent kittens/mother cats from exiting the premises of the facility without staff.
 22. No doors shall swing over the public right-of-way. The existing screen door on the tenant space shall be removed or modified to adhere with this standard.
 23. The tenant space shall have proper ventilation systems in operational order at all times, which includes air conditioning.
 24. The interior of the facility must be improved with materials substantially impervious to moisture and able to be easily cleaned and sanitized. Ensure the flooring is properly sealed. Floor drains may be installed throughout the boarding area to ensure that the indoor tenant space can easily be sprayed down.
 25. If a kitten in the proposed veterinary clinic facility creates excessive loud noise, staff is responsible for immediately correcting the actions of the kitten that are causing the loud noise.
 26. All kittens must be in a carrier/cage when arriving and leaving the facility.
 27. All material storage shall be contained inside the building. Storage containers are not allowed and pallets, boxes, cardboard boxes, etc. shall not be stored outside.
 28. The applicant shall comply with all comments from the Building Bureau.

Standard Conditions:

29. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment 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 of the design changes set forth in the

conditions of approval to the satisfaction of the Zoning Administrator.

30. 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.
31. 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 or Planning Commission, respectively.
32. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
33. Approval of this project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
34. 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.
35. 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.
36. All operational conditions of approval of this permit must be posted in a location visible to the public, in such a manner as to be readable when the use is open for business.
37. All landscaped areas must be maintained in a neat and healthy conditions. Any dying or dead plant 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 of for the inspection cost as per the special building inspection specifications established by City Council.
38. Site development, including landscaping, shall conform to the approved plans on file with Long Beach Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
 39. All parking areas serving the site shall provide appropriate security lighting with light and glare shields so as to avoid any light intrusion onto adjacent or abutting residential buildings or neighborhoods pursuant to Section 21.41.259. Other security measures may be required to be provided to the satisfaction of the Chief of Police.
 40. 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 must clean the parking and landscaping areas of trash debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Planning and Building may require additional preventative measures such as but not limited to, additional lighting or private security guards.
 41. 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
 42. Exterior security bars, scissor gates, and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
 43. 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).
 44. All conditions of approval must be printed verbatim on all plans submitted for plan review to Long Beach Development Services. These conditions must be printed on the site plan or a subsequent reference page.

45. The Director of Development Services is authorized to make minor modifications to the approval design plans or 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 or Planning Commission, respectively.
46. 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).
47. Any graffiti found on site must be removed within 24 hours of its appearance.
48. Adequately sized trash enclosure(s) shall be designed and provided for this project as per Section 21.46.080 of the Long Beach Municipal Code. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the lot.
49. 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.