

**CONDITIONS OF APPROVAL****1500 E. Anaheim St./1209 Walnut Ave.****Application No. 1710-56 (SPR18-028, VTTM18-012, ZCHG18-003, GPA18-001)****July 18, 2019****Special Conditions:**

1. The following approvals are granted for this project:
  - a. Adoption of a Mitigated Negative Declaration for the project (IS/MND-05-18, SCH#2019059114).
  - b. Site Plan Review approval for the project as depicted on plans submitted to the Department of Development Services, consisting of:
    - 1) A 5-story apartment building up to 65 feet and 5 stories in height,
    - 2) Ground floor commercial space for a medical clinic,
    - 3) Ground floor office, lobby, leasing, and residential amenity space, and
    - 4) A 3-level parking structure containing at least 156 parking stalls.
  - c. A Vesting Tentative Tract Map to create 1 ground lot and 4 airspace lots on a 1.54-acre site.
  - d. A Zone Change from CCP and R-2-N to CCN(HR-65/5) for the project site.
  - e. A General Plan Amendment from Land Use District (LUD) Nos. 2 and 8A to LUD No. 8R for the project site.
  - f. Acknowledgement of a density bonus that the project is entitled to under State law (California Government Code Section 65915), as well as two development standards waivers and two regulatory concessions, waived and conceded as shown on plans approved by the Planning Commission on July 18, 2019, as follows:
    - 1) A density bonus to the maximum 35% allowed by the California Government Code for an affordable housing project, giving a maximum of 93 units allowed instead of not more than the 68 units allowed by the CCN zoning district (with 88 units proposed and approved for this project),
    - 2) A development standards waiver for building setbacks: front, side, street side, rear, and required step-backs as specified in Chapters 21.31, 21.32, and 21.39,
    - 3) A development standards waiver for vehicular and truck loading space requirements specified in Chapter 21.41,
    - 4) A regulatory concession for reduced private open space for all individual dwelling units, and
    - 5) A regulatory concession for the number of required parking stalls, which, after the concession, shall not be less than 156.
2. The applicant shall design and provide for “solar-ready” building rooftops and “solar-ready” infrastructure connections on the top (exposed to sky) level of the parking garage, for possible future installation of solar panels and solar parking covers/shade structures.

3. Prior to issuance of a Certificate of Occupancy, the applicant shall obtain LEED Certified-level green building certification for the project building, or equivalent verification that LEED Certified criteria are met, as required by Section 21.45.400 of the Zoning Regulations.
4. The applicant shall provide for the construction of a CMU block wall on the southern property line of the project site, extending from the alley to the street frontage on Walnut Ave., with a return wall to the project building. This block wall shall be 8'-0" tall, no more and no less, except for the portion eastward of the northerly prolongation of the eastern elevation of the adjacent building to the south, which shall be no more than 3'-0" tall. A corner cut-off shall be provided at the southwest corner of the project site at the alley, as necessary for any adjacent parking spaces or driveways on the property to the south. The Director of Development Services may modify the specifics of this condition of approval as construction and field conditions necessitate, provided that the intent of this condition of approval is met.
5. The applicant shall provide for the construction of a CMU block wall on the western property line at the alley edge, less any required dedications and easements, extending from the southwest corner of the property (and connecting with no gap to the block wall required by the previous condition of approval) to the westerly prolongation of the north elevation of the project building, with a return wall to the project building. This block wall shall be 8'-0" tall, no more and no less, except for the portion within the building's required yard setback on Anaheim St., which shall be not more than 3'-0" tall. A corner cut-off shall be provided at the southwest corner of the project site at the alley, as necessary for any adjacent parking spaces or driveways on the property to the south. The Director of Development Services may modify the specifics of this condition of approval as construction and field conditions necessitate, provided that the intent of this condition of approval is met.
6. Prior to issuance of a Certificate of Occupancy, any unused curb cuts adjacent to the project site shall be closed and reconstructed to full-height curb and gutter under a permit from the Department of Public Works, to the satisfaction of the Director of Development Services.
7. Prior to the issuance of a grading or construction permit, the developer shall complete the pending real estate transaction for the subject property with the City of Long Beach Successor Agency, unless specifically and explicitly authorized by the City of Long Beach to begin grading or construction prior to conclusion of the real estate transaction.
8. Prior to issuance of a building permit, the developer shall complete and record the required dedication and easement for widening of the alley on the western side of the project site.

9. The southern yard area between the building and property line shall be secured to the satisfaction of the Director of Development Services to prevent pass-through foot traffic between Walnut Ave. and the alley.
10. All exterior residential windows with exposure to Anaheim St. shall have a Sound Transmission Class (STC) rating of 32 or higher. This includes windows directly facing Anaheim St., and windows indirectly exposed to the noise levels of Anaheim St.
11. 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.
12. 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.
13. The project shall be developed in substantial conformance with the plans presented to the Planning Commission on July 18, 2019. Each project component shall be designed and constructed as depicted on these plans, maintaining the same architectural style, quality of materials, and consistency of design. 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.
14. The developer shall provide a sample of all final exterior finish and architectural materials and colors selected for construction for review by the Director of Development Services, prior to issuance of a building permit for new construction. If these materials are found to be below the standards approved in concept, the developer remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Director of Development Services.

15. 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.
16. All forms of barbed wire and razor wire shall be prohibited on the site.
17. 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 December 27, 2017, attached to these conditions of approval and by this reference made a part hereof.
18. Any street lights, pedestrian lights, parking lot 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.
19. The developer shall provide for the construction of trash receptacle areas of sufficient number and size to meet all reasonably foreseeable refuse needs of the project. All trash receptacle areas shall be located and constructed in accordance with Section 21.45.167 of the Zoning Regulations.
20. Left-turn movements at the intersection Anaheim Street and Peterson Avenue (north of Anaheim Street) and the Alley (south of Anaheim Street) shall be restricted by installing a raised median. To prevent U-turns at the unsignalized intersection of Hoffman Avenue, the median shall be installed between Walnut Avenue and Gundry Avenue. The City of Long Beach Department of Public Works is planning to install a median on Anaheim Street east of Walnut Avenue, and it will be more cost effective if the City extends the median project to install these recommended improvements for this subject development. Therefore, the project Applicant shall be responsible for payment of an in-lieu fee to the City for the recommended improvements, in the amount of one hundred fifteen thousand dollars (\$115,000). However, if the City-installed Anaheim Street median project will not begin construction on the street segment between Walnut Avenue and Gundry Avenue prior to issuance of a Certificate of Occupancy for the project building, then the Applicant shall be responsible for installation of the specified median, unless an alternate solution is reached to the satisfaction of the Director of Public Works and Director of Development Services (including but not limited to posting of bonds by the applicant and installation of temporary traffic movement restrictions) that maintains the turning movement restrictions specified by this condition until such time as the median is installed by the City.

21. Prior to occupancy of any affordable housing unit, the developer shall record a restrictive covenant on each or all of the affordable housing units restricting said units to occupancy by tenants who meet the income qualifications and/or other standards established for the occupancy of affordable housing units by applicable City ordinances and/or State law, to the satisfaction of the Director of Development Services.
22. Each individual residential dwelling unit shall be assigned at least one permanent parking stall. Priority shall be given to two- and three-bedroom units for assignment of additional parking stalls.
23. The developer shall obtain approvals from the Department of Public Works to install any white-painted curb (passenger loading zone) or yellow-painted curb (loading zone) adjacent to the project site on Anaheim St. or Walnut Ave., in the lengths necessary to accommodate the reasonably-anticipated passenger loading and loading demands of the project.
24. All refuse collection shall take place at the alley, with all trash receptacles being moved internally within the project site to the alley for collection. Refuse collection and the movement of trash receptacles on Walnut Ave. and Anaheim St shall be prohibited. Trash receptacles shall be collected and serviced with sufficient frequency to avoid unsightly and undesirable buildup of refuse at each trash receptacle.
25. All exterior on-site newsstands and racks (including free publications, classifieds, etc.), vending machines, donation bins, and publicly-accessible telephones shall be prohibited, and any existing ones shall be removed.
26. 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 on-site security services or other measures as necessary to remedy the problem.

#### Public Works Conditions

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

#### **GENERAL REQUIREMENTS**

- a. Prior to the start of any on-site/off-site demolition or construction, the Developer shall submit a construction plan for pedestrian protection, construction area perimeter fencing with custom-printed screen(s), street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).

- b. All door openings swinging into public rights-of-way shall be eliminated or set back outside of the public right-of-way, to the satisfaction of the Director of Public Works. Construction plans shall be submitted to the Department of Public Works for all encroachments over the public right-of-way, to be reviewed for approval as to compliance with California Building Code Chapter 32 and City Pedestrian Accessibility Guidelines.
- c. All refuse and recycling receptacles shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 8.60, including number of receptacles, receptacle specifications, and placement for collection. The Developer and/or successors shall ensure that all receptacles are placed for collection on-site, outside of the improved alley right-of-way, and be responsible for the cleanliness of the paved alley adjacent to the project site.

Note: The Developer's plans also show public refuse and recycling containers within the public right-of-way adjacent to the project site, which are not currently in place. The Developer shall contact the Environmental Services Bureau, at (562) 570-2876, to request more information regarding refuse and recycling container requirements.

#### **PUBLIC RIGHT-OF-WAY**

- d. The Developer shall dedicate and improve 2.5 feet of right-of-way for alley widening purposes along the north-south alley adjacent to the development site, to the satisfaction of the Director of Public Works.
- e. The Developer shall provide for and improve a 2.5-foot wide public access easement (in addition to the required dedication) for vehicular access along the north-south alley adjacent to the project site, to the satisfaction of the Director of Public Works.
- f. The Developer shall dedicate and improve an additional 2.5 feet for sidewalk widening purposes along East Anaheim Street adjacent to the development site, resulting in a 10-foot wide public sidewalk, to the satisfaction of the Director of Public Works.
- g. The Developer shall dedicate and improve a corner cut-off as needed to provide full ADA compliance adjacent to the project site, at the corner of Walnut Avenue and East Anaheim Street.
- h. The Developer 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. The Developer shall provide additional dedications of right-of-way, as determined during the plan check process, as necessary to satisfy unfulfilled ADA requirements.

- i. All outdoor dining areas within the public right-of-way shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 14.14 and parklet standards. Separate approval is required prior to private use of the public right-of-way. The Developer shall contact the Department of Public Works, at (562) 570-7954, to request a Public Walkways Occupancy Permit application and initiate review.

Note: The Developer's plans show a potential issue with a proposed bench and refuse and recycling container. All public walkway occupancies must permit a minimum 5-foot wide clear path between any proposed or existing obstructions along the affected walkway

- j. All privately owned benches within the public right-of-way shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 14.16. Separate approval is required prior to installation.

#### **OFF-SITE IMPROVEMENTS**

- k. The Developer shall reconstruct the full width of the north-south alley adjacent to the project site with Portland cement concrete, to the satisfaction of the Director of Public Works. All existing facilities along the alley shall be relocated by the Developer at project expense, as necessary to accommodate the alley widening.
- l. The Developer shall widen the north-south alley with additional Portland cement concrete by 5 feet (2.5-foot dedication and 2.5-foot easement), to the satisfaction of the Director of Public Works.
- m. The Developer shall reconstruct the alley intersection at East Anaheim Street to align with the new alley widening. Alley improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- n. The Developer shall provide for public street lamps or install on-site alley lighting to the improved alley adjacent to the project site, to the satisfaction of the Director of Public Works.
- o. The Developer shall check with the Long Beach Water Department at (562) 570-2300 and the Energy Resources Department, at (562) 570-2000, for scheduled main replacement work prior to submitting alley improvement plans to the Department of Public Works.
- p. The Developer shall remove unused driveways and curb cuts, and replace with full-height curb, curb gutter and sidewalk pavement to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.

- q. The Developer shall demolish the existing sidewalk and curb ramp located at Walnut Avenue and East Anaheim Street adjacent to the project site, and construct a new ADA compliant curb ramp to the satisfaction of the Director of Public Works.
- r. The Developer shall reconstruct the sidewalk pavement, curb and curb gutter along Walnut Avenue adjacent to the project site, resulting in a 12-foot wide public sidewalk with tree wells. 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).
- s. The Developer shall reconstruct the sidewalk pavement, curb and curb gutter along East Anaheim Street adjacent to the project site, resulting in a 10-foot wide public sidewalk with tree wells. 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).
- t. The Developer shall widen the sidewalk along East Anaheim Street with additional Portland cement concrete by 2.5 feet, to the satisfaction of the Director of Public Works.
- u. The Developer shall provide for new street trees with root barriers along Walnut Avenue and East Anaheim Street adjacent to the project site, per Section 21.42.050 of the Long Beach Municipal Code. Street trees requiring removal shall be relocated or replaced to the satisfaction of the Director of Public Works. The Developer and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and any irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide shade coverage, after five years of growth, of 50% of the total area dedicated for public right of way.
- v. The Developer 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 Developer shall consult with the Department of Public Works to review and approve.



- w. The Developer 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 Developer to the satisfaction of the Director of Public Works.
- x. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, meters, and other existing facilities in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- y. The Developer shall provide for the relocation of the westernmost street light located on East Anaheim Street, near the alley intersection, to the satisfaction of the Director of Public Works. The Developer shall contact City Light and Power to schedule the relocation work prior to submitting alley improvement plans to Public Works. Approved plans for relocation shall be submitted to Public Works along with the on-site grading plan.
- z. The Developer shall repair the damaged service connection of the northernmost utility pole located on Walnut Avenue, adjacent to the project site. The Developer shall contact Southern California Edison to schedule repair work prior to submitting off-site improvements plans to Public Works. Approved plans for repairs shall be submitted to Public Works along with the on-site grading plan.
- aa. Subject to approval of the proposed loading zone along Walnut Avenue, the Developer shall relocate all existing public utility facilities to accommodate the improvement, to the satisfaction of the City Department or public agency with interest.
- bb. The Developer 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 a building permit.
- cc. All work within the public right-of-way must be performed by a contractor holding a valid State of California Contractor's License and City of Long Beach Business License, sufficient to qualify the contractor to do work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and endorsement evidencing minimum City of Long Beach limits of required general liability insurance.

- dd. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. The City's Public Works Engineering Standard Plans are available online at [www.longbeach.gov/pw/resources/engineering/standard-plans](http://www.longbeach.gov/pw/resources/engineering/standard-plans). Prior to issuance of a building permit, detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for review and approval.
- ee. 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
- ff. 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 developer 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](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml). Left-click on the Construction General Permit Order 2009-0009-DWQ link.

#### **TRAFFIC & TRANSPORTATION BUREAU**

- gg. A traffic impact analysis must be prepared for this project, under the supervision and approval of a registered Traffic Engineer in the State of California (Engineer's stamp required). Any conditions generated by the analysis shall be made a part of these conditions.
- hh. The Developer shall submit detailed plans for the proposed street improvements for review and approval by the City Traffic Engineer. Improvement plans shall be prepared by a registered Civil or Traffic Engineer, stamped, signed and submitted to the Department of Public Works. Subject to approval of the proposed loading zone along Walnut Avenue, the Developer shall install appropriate traffic markings and signs adjacent to the project site. All traffic marking and signage shall be installed to the satisfaction of the City Traffic Engineer.
- ii. The Developer shall be responsible to improve certain traffic signal related equipment to current 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 Developer's project, based on the results of the traffic impact analysis. If not existing, the Traffic Signal related equipment shall include, but may not be limited to the following:
  - 1) All 8" Traffic Signal indications shall be updated to 12" LED units.

- 2) Vehicular detection shall be installed on all approaches to the signalized intersection. This may include presence, mid or advance detection per City direction. Options will include standard Type E loops or video detection.
  - 3) All pedestrian indications shall be upgraded to LED Countdown Modules within all pedestrian crossings.
  - 4) All pedestrian push buttons shall be upgraded to the most current City Standard.
  - 5) 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.
  - 6) Because of the fact that so many City of Long Beach traffic signals operate and share coordinated signal timing plans, the developer shall install a GPS Module at all traffic signals that are directly impacted by their project. The GPS Modules create accurate time-based communications between nearby traffic signals.
  - 7) The developer may be asked to update the traffic signal controller located in the traffic signal cabinet. The existing traffic signal controller may not have the capability to handle the complexities of new traffic patterns that are directly related to the Developer's project. In such cases, the developer will be asked to install a new traffic signal controller based on the most current City Standard.
- jj. New crosswalks in the vicinity of the project shall be added by the Developer to the satisfaction of the City Traffic Engineer. The Developer shall be responsible to upgrade all existing crosswalks, and install all new marked crosswalks, to the newest City standards.
- kk. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Driveways greater than 28 feet in width require a variance; contact the Transportation Mobility Bureau, at (562) 570-6331, to request additional information regarding driveway construction requirements.
- ll. The Developer 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.
- mm. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- nn. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.

- oo. The Developer shall contact the Transportation Mobility Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
- pp. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

#### Mitigated Negative Declaration Mitigation Measures

- 28. The applicant and property owner shall provide for compliance all mitigation measures of the Mitigated Negative Declaration (MND-05-18) adopted for this project. These mitigation measures are attached to these conditions of approval and by this reference made a part hereof.

#### **Standard Conditions – Plans, Permits, and Construction:**

- 29. 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.
- 30. 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.
- 31. 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.
- 32. Prior to the issuance of a building permit, the applicant shall depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, these devices shall be screened by landscaping or another screening method approved by the Director of Development Services.
- 33. 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.

34. 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.
35. 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.
36. 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.
37. 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.
38. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
39. The applicant shall file a separate landscaping plan check submittal to the Department of Development Services for review and approval prior to issuance of a building permit.
40. 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.
41. Prior to the issuance of a building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations.
42. 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.
43. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.

44. For projects consisting of new buildings, parking lots, or landscaped area, the applicant shall submit complete landscape and irrigation plans for the approval of the Director of Development Services prior to the issuance of a building permit. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees. Turf shall be limited to less than 50 percent of the total landscaped area. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50 percent or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Director of Development Services.
45. For new construction, all landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted with drought tolerant plant materials and shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
46. 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.
47. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.
48. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
49. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
50. 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.

51. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
  - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
  - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
  - c. Sundays: not allowed

**Standard Conditions – General:**

52. 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 and approved request submitted prior to the expiration of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
53. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment shall be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).
54. 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.
55. 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).
56. 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.
57. 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.

58. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
59. 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.
60. 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.
61. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
62. Any graffiti found on site shall be removed within 24 hours of its appearance.
63. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
64. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
65. 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.