

**CONDITIONAL USE PERMIT &
LOCAL COASTAL DEVELOPMENT PERMIT
CONDITIONS OF APPROVAL
Application No. 1906-12 (CUP19-007; LCDP19-013)
6400 East Pacific Coast Highway
September 5, 2019**

1. A Conditional Use Permit and Local Coastal Development Permit to allow four (4) wall mounted electronic message center signs at a previously approved shopping center, located in the South East Area Development and Improvement Plan (PD-1) zoning district.
2. 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.
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 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).
4. All Conditions of approval from previous entitlement permits for this site shall remain in full force and effect, unless herein rescinded. If individual conditions from said entitlements are superseded by more restrictive conditions from this subject permit, the more restrictive conditions(s) shall control.

Special Conditions:

5. All work shall be consistent with the plans reviewed and approved by the Planning Commission, unless conditioned otherwise.
6. The electronic message center sign shall comply with all requirements and development standards of the Zoning Regulations, including but not limited to Division VIII (Electronic Message Center Signs) of Chapter 21.41 (On-Premises Signs) of the Zoning Regulations.
7. At the request of the Director of Development Services, the applicant shall provide, at own expense, a light and glare study for the electronic message center sign, to demonstrate compliance with Section 21.44.850.A of the Zoning Regulations.
8. In accordance with Section 21.44.850.B, the display message shall not change at a rate faster than one (1) message every eight (8) seconds.

9. Applicant may not use the digital billboard to display any message that contains "obscene matter" as that term is defined in California Penal Code section 311, or otherwise promotes adult entertainment, or contains language that is obscene, vulgar, profane, or scatological, or that presents a clear and present danger of causing riot, disorder, or other imminent threat to public safety, peace or order.
10. All electronic message center signs shall be adequately shielded and properly oriented and aimed so as to prevent the intrusion of light and glare upon residential land uses, including those in mixed-use districts.
11. Fixed/permanent sign copy on each face of an electronic message center sign shall be limited to the identification of the business, shopping or convention center name or icon and two (2) major tenants or products or services. The fixed/permanent sign copy shall not flash shimmer, glitter, or give the appearance of flashing, shimmering, or glittering, and shall be included in the approved sign area.
12. All messages shall be limited to the on-site advertising of goods or services, or noncommercial messages (i.e., time, temperature, or public service announcements). All off-site advertising messages are prohibited; this includes messages by or for sponsors patrons, brands, or other similar off-site parties or entities
13. The interior oriented electronic message center specifically sign E3 may be used for showing movies, art displays, and other non-commercial messages including community event and public service announcements.
14. Hours of operation for the exterior facing Electronic Message Center signs (Sign E1 and E4) located along the Pacific Coast Highway and 2nd Street frontage shall be limited to 6:00 a.m. to 12:00 a.m. The hours of operation shall of the interior facing Electronic Message Center signs shall be limited from 6:00 a.m. to 1:00 a.m.
15. If at any time there are substantiated complaints regarding the glare or lighting intensity of the EMCs, the owner shall reduce the intensity and/or the hours of operation to the satisfaction of the Director of Development Services.

Standard Conditions

16. 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.

17. 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.
18. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or subsequent reference page.
19. 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).
20. The Director of Long Beach Development Services is authorized to make minor modifications to the approved 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.
21. 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).
22. 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.