

**CERTIFICATE OF APPROPRIATENESS****ATTACHMENT D****COAC2012-03****CONDITIONS OF APPROVAL****2800 East 4<sup>th</sup> Street**

1. This approval is to paint two murals on the west and north elevations and change building façade paint colors on an existing noncontributing building at 2800 East 4<sup>th</sup> Street in the Bluff Heights Historic District. The mural shall be as shown in as shown in Exhibit B (Existing Photos and Proposed Mural Renderings) received by the Department of Development Services – Planning Bureau originally submitted in January 2021, as amended. These drawings are on file in this office, except as amended herein.
2. The project must be completed per the plans approved by the Cultural Heritage Commission, including all conditions listed herein. Any subsequent changes to the project must be approved by the Cultural Heritage Commission or by Planning Bureau staff before implementation. Upon completion of the project, a staff inspection must be requested by the Applicant to ensure that the proposed project has been constructed in accordance with approved plans and in compliance with all conditions before occupancy hold can be released.
3. There is a ten calendar-day appeal period that will lapse at 4:30 p.m., ten calendar days after the action by the Cultural Heritage Commission is made. Appeal of the Commission's action will not be accepted after this time. A separate fee will apply to appeal an action taken by the Cultural Heritage Commission.
4. This Certificate of Appropriateness shall be in full force and effect from and after the date of the rendering of the decision by the Cultural Heritage Commission. Pursuant to the Cultural Heritage Commission Ordinance Section 2.63.080(I), this approval shall expire within three years if the authorized work has not commenced. Should the applicant be unable to comply with this restriction, an extension may be granted pursuant to Section 2.63.080(I) for an additional 12 months maximum. The applicant must request such an extension prior to expiration of this Certificate of Appropriateness. After that time, the applicant will be required to return to the Cultural Heritage Commission for approval. In addition, this Certificate of Appropriateness shall expire if the authorized work is suspended for a 180-day period after being commenced.
5. This approval is solely for the painting of murals and the building only as approved by Cultural Heritage Commission and as shown in Exhibit B (Existing Photos and Proposed Mural Renderings), except as amended herein, and is not an approval of any other signs. All signs shall be in compliance with the provisions of the Sign Ordinance (Section 21.44 – On-Premises Signs), including but not limited to painted wall signs and/or the requirements for a sign program. A Certificate of Appropriateness shall be required for all subsequent sign submittals.
  - a. The final mural design shall remain in conformance with the definition of a mural found in Section 21.15.1835 (Mural.) of the Long Beach Municipal Code:

**21.15.1835 - Mural.** "Mural" is used in regard to signs and means a graphical image, with or without text, that covers all or a portion of a building facade, and does not contain any advertising message, but consists of an artistic representation of a subject not for the purposes of creating a sign or billboard, as defined in this Title.

6. The Applicant shall coordinate with the adjacent property owner at 390 Temple Avenue for the paint color selection for the solid wall along the southern elevation of the existing building at 2800 East 4<sup>th</sup> Street. The final color selection shall be neutral in tone and compatible with the residential character to the south. The final paint color for the south elevation shall be documented on the final Certificate of Appropriateness for the project filed with the Department of Development Services – Planning Bureau.
7. The Applicant shall revise one north elevation of the building to be painted with the same solid color to match the one-story portion of the façade (west elevation) along Temple Avenue. This color can be painted on either the one- or two-story portion of the building (north elevation).
8. The mural shall be painted to match the proposed sketch approved by the Cultural Heritage Commission, and the applicant shall apply anti-graffiti coating that will not distort any of the approved colors. Final colors shall be submitted to Planning Bureau Staff for approval.
9. All required building permits shall be obtained by the applicant, as needed. Building permits must be obtained prior to the implementation of any construction or rehabilitation work. Separate plan check and permit fees will apply.
10. 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 a subsequent reference page.
11. Any proposed changes to the plans approved by the Cultural Heritage Commission and staff will need to be reviewed and approved by the Director of Development Services, or their designee, prior to implementation. Significant changes to the project's design will require review and approval by the Cultural Heritage Commission before permits are issued by the Department of Development Services.
12. As a condition of any City approval, the applicant shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul the approval of the 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.