

## **CONDITIONS OF APPROVAL**

**400 Oceangate**

**Application No. 2312-19 (SPR23-122 & LCDP 23-075)**

**September 5, 2024**

### **Special Conditions:**

1. The following approvals are granted for this project:
  - a. Finding the project consistent within the scope of the project previously analyzed as part of the Golden Shore Master Plan Program Environmental Impact Report (State Clearinghouse No. 2008111094) and warrants no further environmental review pursuant to CEQA Guidelines Section 15177 and 15179;
  - b. This Site Plan Review approval for the project as depicted on the plans submitted to the City and presented to the Planning Commission on September 5, 2024, consisting of:
    - i. The adaptive reuse of the existing office building on site with 200 units and the new construction of 75 units in 5 levels above the existing parking structure to the rear of the site adjacent to Seaside Way. The adaptive reuse and new construction will have two buildings consisting of 66-studio units, 130 1-bedroom units and 79 two-bedroom units. Developer shall also provide a minimum of three, 3-bedroom units so the unit count may fluctuate to accommodate the 3-bedroom units. The total number of units shall not exceed 275.
    - ii. A minimum of approximately 31,221-square-feet of open space which includes, 1,868-square feet of gym area, 11,726 square feet of primary outdoor space, amenity rooms, 2,013 square feet of roof decks and a dog run.
    - iii. A minimum of 275 parking spaces within the existing parking structure with access from Seaside Way shall be maintained.
    - iv. The developer shall comply with the Mitigation Measures specified in the Mitigation Monitoring and Reporting Program of the Golden Shore Master Plan Program PEIR and as described in staff report, to the satisfaction of the Community Development Director, or designee.
2. The developer shall comply with the Bird-Safe Buildings policies contained in the PD-6 document of the General Development and use Standards subsection (c) Number 5.

3. On the plans submitted for building plan check a minimum of three 3-bedroom units shall be provided and shown on the plans.
4. Should the Developer desire to subdivide the property, a separate Tentative Map application and requisite fees shall be submitted to the Planning Bureau for consideration.
5. Not less than 275 parking stalls shall be permanently maintained and in useful operation within the building's parking garage. The number of Electric Vehicle (EV) charging stations and spaces shall meet or exceed California Green Building Standards Code Chapter 5 Section 5.106.5.3 requirements.
6. Developer shall provide as many bicycle parking/storage spaces that can reasonably and functionally fit in the area noted on the plans. A bicycle repair area shall also be included within this noted area.
7. One or several central satellite television/data receiver dish(es) shall be located on the roof of the adaptive reuse building or in another utility area so that multiple separate systems are not needed.
8. Pursuant to section 21.45.400 (c), the new construction portion of the project shall meet the intent of LEED at the Certified level to the satisfaction of the Community Development Director, or designee. Prior to issuance of any project-related building permits, the applicant shall submit proof of registration with USGBC and a password allowing staff access to said registration or provide proof by a third party as meeting the intent of LEED at the level required by Chapter 21.45.400.
9. All new construction, the 75 new units atop the parking structure shall be all electric.
10. Noise levels emanating from the project's common open space areas shall not exceed applicable noise standards specified in Long Beach Municipal Code Section 8.80.150 – Exterior Noise Limits.
11. Utilities shall be located internally to the building as feasible to mitigate noise and vibration. Roof top mechanical equipment shall be screened to minimize exterior noise. Any testing of equipment shall occur during regular business hours (Mon.-Fri; between the hours of 8 am to 5 pm). All equipment shall compliant with Long Beach Municipal Code Section 8.80.150 – Exterior Noise Limits.
12. The developer shall submit to the Community Development Department and the Department of Public Works a detailed construction staging plan for review and approval, to the satisfaction of the Community Development Director and Director of Public Works, prior to the issuance of a building permit. Contact

- information for the Project Manager shall be posted in a visible location on site during all construction phases.
13. The developer The developer shall have fencing and gate materials for the emergency egress located on the south side of the Project site approved to the satisfaction of the Community Development Director, or designee.
  14. Long Beach Utilities, Gas Department has the following conditions:
    - a) Provide new total gas loads to see if existing meter(s) and service line(s) need to be upsized.
    - b) The enclosure size for the meter set assembly may need to be increased to accommodate a bigger meter and most recent clearance requirements and standards for the gas facilities.
  15. Developer shall comply with the Memorandum from the Long Beach Police Department dated December 19, 2023 attached herein.
  16. Developer shall pay attention and be cognizant of the Technical Advisory Committee comments from the Building Department dated September 12, 2023 for the subject project attached herein.
  17. Developer shall comply with the Memorandum from the Long Beach Fire Department, dated November 18, 2023, attached herein.
  18. Developer shall comply with the letter from the Long Beach Utilities Department, Water Division dated December 29, 2023, attached herein.
  19. Developer shall comply with the General Development and Use Standards as identified in Ordinance No. Ord-11-0017.
  20. During construction, the developer shall implement Best Management Construction methods minimize water runoff and debris in accordance with all applicable state, regional, and local requirements.
  21. All required off-site street improvements shall be installed or provided for to the satisfaction of the Director of Public Works prior to issuance of a building permit.
  22. The Department of Public Works submits the following requirements for the proposed development referenced in the above subject line. The Applicant must comply with all requirements noted below. All conditions specified herein and final designs developed in conformance with said conditions are subject to review and shall be completed to the satisfaction of the Director of Public Works, City Engineer and/or City Traffic Engineer as applies.

## **GENERAL REQUIREMENTS**

- a. Prior to the start of ANY demolition, excavation, or construction, the Applicant shall,
  - i. Submit a construction plan for pedestrian protection, construction staging, scaffolding and excavations, and
  - ii. Submit a traffic control plan with street lane closures and routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.) prepared by a registered Civil or Traffic Engineer in the State of California, with wet seal and signature, and
  - iii. Submit a plan for construction area and/or site perimeter fencing with custom printed screen(s),
  - iv. All for review and approval by the Department of Public Works and installed in accordance with the latest version of the Public Works Development Guideline.

Work, including hauling soils or other debris, is not allowed within the right-of-way without a valid Public Works permit. The Applicant shall comply with all requirements outlined within the latest version of the Public Works Development Guideline and all referenced standards at the time of application submittal.

- b. The Developer may be subject to street restoration requirements if an adjacent street/alley affected by the project is under a street cut moratorium that is active at any point through the completion of construction. Although a street cut moratorium may not be in place at the time of these conditions, one may be in effect at a later date that the project shall adhere to. The Developer shall provide written approval from the City to implement any street improvements prior to the end of the moratorium, in the form of a discretionary permit for excavation. Any work within a street under moratorium requires a complete grind and overlay from block to block.
- c. The extent of repaving and restoration of the adjacent Rights-of-Way shall be per the discretion of the Director of Public Works and shall be determined during the plan check process based on the excavation proposed.
- d. If the proposed off-site improvements associated with the proposed project, stipulated herein, conflict/overlap with a planned City project, a fair share fee may be assessed and paid by the Applicant to the City at the discretion of the City Traffic Engineer, City Engineer and Director of Public Works.
- e. All proposed refuse and recycling structures and receptacles must be placed entirely on private property, outside of the public right-of-way. The Applicant and/or successors shall be responsible for the cleanliness of the sidewalk/roadway adjacent to the refuse and recycling area and the overall development.

- f. Doors and/or gates shall not swing or project into the public right-of-way. All door openings swinging into public rights-of-way shall be eliminated, to the satisfaction of the Director of Public Works.
- g. Any proposed signage shall be located entirely on site, on private property, completely out of the public right-of-way. Any signage initially proposed in public rights-of-way shall be eliminated, to the satisfaction of the Director of Public Works.
- h. All off-site improvements shall provide a compliant clear path between any and all obstructions for pedestrian travel purposes compliant with the most recent Americans with Disabilities Act (ADA) standards within the dedicated right-of-way. All hardscape shall be constructed with Portland cement concrete. All removal limits shall consist of entire panel replacements (from joint line to joint line).
- i. The Applicant 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. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, as determined during the plan check process, the right-of-way dedication way shall be provided.
- j. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and **submitted to [pw-privatedevelopment@longbeach.gov](mailto:pw-privatedevelopment@longbeach.gov)** for review and approval. 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). **This is in addition to, and separate from, any plan check required by the Department of Development Services, Building & Safety Bureau.**
- k. 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.
- l. Applicant shall provide stamped and signed record drawings and as-builts of the off-site improvements at the end of construction prior to Public Works permit closeout and Public Works clearance for Temporary and Final Certificate of Occupancy.

**PUBLIC RIGHT-OF-WAY**

- m. Applicant shall dedicate enough right-of-way to allow for a 6-foot landscaped and irrigated parkway and a 6-foot Portland Cement Concrete (PCC) sidewalk, north of the existing driveway entrance along Golden Shore, that bisects the two existing structures, adjacent to the project site. South of the existing driveway entrance along Golden Shore, applicant shall provide for a surface dedication to allow for a 6-foot landscaped and irrigated parkway and a 6-foot Portland Cement Concrete sidewalk. The landscaped and irrigated parkway shall be adjacent to the curb. The dedication south of the driveway shall jog around the existing transformer, to keep this existing infrastructure on private property. Applicant shall relocate any conflicting utilities/infrastructure. To initiate the dedication process, Applicant shall submit a Dedication application to Public Works, along with all required attachments and filing fees, which approval is subject to acceptance by the City Council.

Note: Applicant may be required to dedicate additional right-of-way at the curb ramps at the intersection of the driveway entrance along Golden Shore Avenue and Golden Shore Avenue to ensure the full curb ramp is within the Public Right-of-Way.

- n. Applicant shall provide dedications, as necessary, along Seaside Way to provide a minimum of 5 feet clear around all existing obstructions/infrastructure. To initiate the dedication process, Applicant shall submit a Dedication application to Public Works, along with all required attachments and filing fees, which approval is subject to acceptance by the City Council.
- o. The Applicant shall provide easements to the City of Long Beach for any proposed or required public utility facilities, to the satisfaction of the concerned City Department or public agency.

Note: Backflow preventer must be installed on private property and an easement to the City must be processed through an application to the Department of Public Works

- p. The Applicant shall be responsible for the relocation and/or undergrounding of utilities, right-of-way dedications, quitclaim of easements, and/or any new utility easements required in connection with the proposed development, and removal of any related abandoned facilities or equipment as needed or required; as structures cannot be built within an easement or dedicated area. The Applicant shall be responsible for resolving all matters of easement and/or utility encroachment to the satisfaction of the interested agency, City department, and the Director of Public Works.

## **OFF-SITE IMPROVEMENTS**

- q. The Applicant shall construct a 6-foot irrigated and landscaped parkway and a 6 foot sidewalk along Golden Shore Ave, adjacent to the project site. The parkway shall be adjacent to the curb and the sidewalk shall be adjacent to the right-of-way line. Sidewalk improvements shall be constructed with Portland cement concrete. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line). All existing facilities or obstructions shall be relocated to the satisfaction of the agency or City Department with interest.
- r. Applicant shall improve all dedicated areas along Seaside Way with PCC sidewalk. Additionally, the Applicant shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter adjacent to the project site along Seaside Way, to the latest City standards and to the satisfaction of the Director of Public Works. The Developer shall assess the existing sidewalk adjacent to the project site for ADA compliance, and if found to be non-compliant, shall replace the existing sidewalk with a compliant design to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- s. The Applicant shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter adjacent to the project site along Ocean Blvd, to the latest City standards and to the satisfaction of the Director of Public Works. The Developer shall assess the existing sidewalk adjacent to the project site for ADA compliance, and if found to be non-compliant, shall replace the existing sidewalk with a compliant design to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- t. Applicant shall reconstruct new ADA compliant curb ramps located north and south of the existing driveway entrance that bisects the project site along Golden Shore Avenue, to the latest City standards and to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, as determined during the plan check process, the right-of-way dedication way shall be provided.
- u. Applicant shall assess the existing curb ramp at the intersection of Golden Shore and Seaside Way adjacent to the project site for ADA compliance. If found to be non-compliant, Applicant shall reconstruct the curb ramp to meet ADA

requirements. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, as determined during the plan check process, the right-of-way dedication way shall be provided.

- v. Applicant shall assess the existing curb ramp at the intersection of Golden Shore and Ocean Blvd adjacent to the project site for ADA compliance. If found to be non-compliant, Applicant shall reconstruct the curb ramp to meet ADA requirements. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, as determined during the plan check process, the right-of-way dedication way shall be provided.
- w. Applicant shall provide for new street trees with root barriers and associated irrigation on Golden Shore, per Section 21.42.050 and Section 14.28.020 of the Long Beach Municipal Code. Where physical obstructions do not allow for the required number of street trees to be planted, an in-lieu fee may be assessed by the City Arborist and paid by the Applicant for each required street tree that is not provided. Furthermore, in the case of any existing street tree removal, an additional fee will be collected for each removed tree to allow for the planting of one additional tree elsewhere. All proposed street tree removals must be approved by the City Arborist and shall follow the tree removal procedure as outlined in the Public Works Tree Maintenance Policy. Applicant and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. If required, street tree removals and in-lieu tree planting fees shall be coordinated directly with the Department of Public Works, at (562) 570-2770, prior to issuance of permit. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
- x. Applicant shall pay an in -lieu fee to Public Works for (9) street trees that are unable to be planted along Seaside Way due to existing conditions constraints per Section 21.42.050 and of the Long Beach Municipal Code.
- y. Applicant shall contact the Street Tree Division prior to beginning the tree planting, landscaping, and any irrigation system work.
- z. Applicant shall check with the Long Beach Utilities Department, Water and Gas, at (562) 570-2300 and (562) 570-2030, respectively, for scheduled main replacement work prior to submitting any improvement plans to the Department of Public Works.
- aa. Applicant proposes improvements that may impact existing under- and above-ground utilities through and adjacent to the project site, such as gas lines, street light conduits and utility poles and overhead lines, and along the perimeter streets adjacent to the project site. The Applicant shall be responsible for all design, applicable utility approval, permitting, relocation work, easements relocation and



commissioning as required by the interested agency and shall work with each utility directly.

- bb. Applicant shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the entire project, from commencement of the on-site improvements, until final inspection of the off-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 Applicant, to the satisfaction of the Director of Public Works.
- cc. Applicant shall provide for the resetting to grade of existing manholes, pull boxes, and meters in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- dd. Applicant shall install Custom Printed Flex Mesh screen(s), such as FenceScreen.com Series 311, or equivalent, fence screening along the perimeter of the development site, and provide for the printed graphic, to the satisfaction of the Director of Public Works. The Developer shall consult with Public Works prior to submitting the graphic design for printing.
- ee. Applicant shall submit a grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes, for review by the Director of Planning and Building Services and the Director of Public Works, prior to approval of the map and/or release of any building permit.
- ff. Applicant shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
- gg. 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 AND TRANSPORTATION**

- hh. The Applicant shall provide a trip generation and trip distribution analysis. Based on these studies, a traffic impact analysis may be required. Any conditions generated by the analysis shall be made a part of these conditions.
- 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 the signalized intersection of Golden Shore and Ocean Blvd, directly impacted by the Developer's project. If not existing, the Traffic Signal related equipment shall include, but may not be limited to the following:
- i. All 8" Traffic Signal indications shall be updated to 12" LED units.
  - ii. 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.
  - iii. All pedestrian indications shall be upgraded to LED Countdown Modules within all pedestrian crossings.
  - iv. All pedestrian push buttons shall be upgraded to the most current City Standard.
  - v. All pedestrian push buttons shall be upgraded to Accessible Pedestrian Signals (APS)
  - vi. 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.
  - vii. 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.
  - viii. The developer may be asked to update the traffic signal controller located in the traffic signal cabinet. At the discretion of the City Traffic Engineer, it may be decided that the existing traffic signal controller does 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. 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 24 feet in width require a variance; contact the Traffic Engineering Division, at (562) 570-6331, to request additional information regarding driveway construction requirements.

- kk. Applicant shall upgrade all existing crosswalks at the intersection of Golden Shore and Ocean Blvd adjacent to the project site to thermoplastic continental crosswalks and install all new crosswalks per the most current City standard and to the satisfaction of the City Traffic Engineer.
- ll. Applicant shall construct permanent bike path improvements along Seaside Way that shall replace the temporary bike path improvements that were a part of the City Shoreline Realignment Project, to the satisfaction of the City Traffic Engineer; contact the Traffic Engineering Division, at (562) 570-6331, to request additional information.
- mm. There is a Long Beach Transit bus stop on Ocean Blvd near the intersection with Golden Shore adjacent to the development site. Applicant shall coordinate with Long Beach Transit for any bus stop/bus shelter improvements required for this project site. The Developer shall collaborate with Long Beach Transit and the City's Public Works Department to implement this condition.
- nn. There is a Long Beach Transit bus stop on Golden Shore near the intersection with Seaside Way adjacent to the development site. Applicant shall coordinate with Long Beach Transit for any bus stop/bus shelter improvements required for this project site. The Developer shall collaborate with Long Beach Transit and the City's Public Works Department to implement this condition.
- oo. Applicant shall contact Long Beach Transit prior to commencement of work to coordinate design and construction issues and to ensure that construction does not interfere with transit bus operations at the existing bus stop on Ocean Blvd. Contact Jessica Cignarella ([jcignarella@lbtransit.com](mailto:jcignarella@lbtransit.com)), Rodney Lampkin ([rlampkin@lbtransit.com](mailto:rlampkin@lbtransit.com)) and Kim Le ([kle@lbtransit.com](mailto:kle@lbtransit.com)).
- pp. The Applicant 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
- qq. The Applicant shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- rr. The Applicant shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- ss. The Applicant shall contact the Traffic Engineering Division, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.

- tt. All traffic control device installations, 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.).
- uu. All bike racks and bike rack placement must follow the guidance in "Essentials of Bike Parking" by the Association of Pedestrian and Bicycle Professionals.

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

- 23. The applicant shall comply with all comments from the Long Beach Police, Gas & Oil, Public Works, Water and Fire Departments and Building Bureau.
- 24. 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 Community Development Director.
- 25. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Community Development Department. These conditions must be printed on the site plan or a subsequent reference page.
- 26. The plans submitted for plan review must 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.
- 27. Prior to the issuance of a building permit, the applicant must 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 Community Development Director.
- 28. The Community Development Director 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.

29. All rooftop mechanical equipment shall be fully screened from public view and views from taller, adjacent rooftops. Said screening must 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 must be submitted for approval by the Community Development Director prior to the issuance of a building permit.
30. Upon plan approval and prior to issuance of a building permit, the applicant shall submit an 11"x17" size set of final construction plans for the project file.
31. 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.
32. 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.
33. Separate building permits are required for fences, retaining walls, flagpoles, and pole-mounted yard lighting foundations.
34. 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.
35. 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.
36. 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.
37. Site development, including landscaping, shall conform to the approved plans on file with the Community Development Department. 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.
38. Prior to the issuance of a building permit, the applicant must submit complete landscape and irrigation plans for the approval of the Community Development Director.

39. All landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted primarily 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.
40. 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.
41. Permeable pavement shall be utilized where feasible, to the satisfaction of the Community Development Director. 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 Community Development Director.
42. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
43. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
44. 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.
45. 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.

46. This permit and all development rights hereunder shall terminate two year 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.
47. 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).
48. 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.
49. 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).
50. 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.
51. 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.
52. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
53. 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.

54. The property owner 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 and debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Community Development Director may require additional preventative measures such as but not limited to, additional lighting or private security guards.
55. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
56. Any graffiti found on site must be removed within 24 hours of its appearance.
57. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
58. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Community Development Director.
59. 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, and 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 any anticipated litigation costs and staff time required as a result of litigation activity.