

CONDITIONS OF APPROVAL

3701 Pacific Place

Case No. 2407-21 (SPR24-054, CUP24-010, ZCHG24-004, GPA24-002, ZCA24-002)

June 5, 2025

1. The following approvals are granted for this project:
 - a. Certification of EIR-02-23 (SCH#2023060250) for the Pacific Place Project; and
 - b. Site Plan Review, Conditional Use Permit, Zone Change, General Plan Amendment and Zoning Code Amendment approval for the project as depicted on plans approved by the Planning Commission on June 5, 2025, consisting of a new four-story (44 feet in height), 206,756-square-foot self-storage facility, with approximately 1,681 self-storage units, with an ancillary lobby, leasing office and restrooms, a recreational vehicle (RV) parking lot with 551 covered RV parking spaces, an accessory car wash building of 1,450 square feet for exclusive use of storage facility and recreational vehicle tenants, 32 vehicle parking spaces, including 27 standard parking spaces (2 of which will be Electric Vehicle (EV) spaces) and five (5) Americans with Disabilities Act (ADA) accessible spaces (2 of which will be EV spaces) and on-site landscaping at a 13.95-acre site located at 3701 Pacific Place in the Light Industrial (IL) Zoning District (pending approval of a zone change to Commercial Storage [CS] Zoning District). Development of the project shall commence in accordance with plans approved by the Planning Commission.
2. Approval of the Site Plan Review and Conditional Use Permit are contingent upon the adoption of the requested Zone Change, General Plan Amendment and Zoning Code Amendment. All applicable conditions of approval shall be satisfied in accordance with the specified timing outlined within said conditions, including but not limited to, conditions required prior to building permit issuance and/or certificate of occupancy issuance or as otherwise approved by the Director of Community Development.
3. This permit and all development rights hereunder shall terminate three years from the effective date of this permit unless construction is commenced or a time extension is granted for a one year period, as permitted by Section 21.21.406 of the Long Beach Municipal Code (LBMC), based on a written and approved request submitted prior to the expiration of the subject grant.
4. 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 Acknowledgement Form supplied by the Planning Bureau. This acknowledgment form 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).
5. The applicant shall submit an application for a Sign Program for all project site buildings prior to issuance of a building permit (not including demolition, excavation,

or grading permits) for the project buildings. No permanent on-site signs requiring a sign permit shall be installed prior to approval of a Sign Program.

6. The applicant shall comply with all applicable Green Building Standards specified in Section 21.45.400 of the Zoning Regulations, including the following:
 - The project buildings shall be constructed to meet the intent of the “LEED Certified” level of green building certification as required by Section 21.45.400. Prior to issuance of a Certificate of Occupancy, the project may be registered with the USGBC to obtain the required LEED certification, or a project may be certified by a third party as meeting the intent of LEED at the level required by Section 21.45.400.
 - Bicycle parking shall be provided in accordance with the Climate Action Plan (CAP) Checklist approved for the project, which exceeds the requirements outlined in 21.45.400 of the Zoning Regulations;
 - Roofs shall be designed to be solar-ready subject to all applicable state and local construction codes and provide conduit from the electrical panel to the roof; and
 - A designated area for the collection of recyclables shall be provided adjacent to the area for the collection of waste.
7. The developer shall provide for the Transportation Demand and Trip Reduction Measures (TDM) specified in Chapter 21.64 of the Zoning Regulations for projects of new nonresidential development of 100,000 sq. ft. or more, as summarized in Table 25-1, including the following items:
 - A transportation information area in each building or at a central location on the site;
 - Preferential carpool/vanpool parking;
 - Parking designed to admit vanpools;
 - Carpool/vanpool loading zones;
 - Efficient pedestrian access from the public sidewalk and parking areas to the entrance of each building;
 - Safe bike access from the public street to bike parking; and
 - Project review by Long Beach Transit (if not completed as part of TAC process).
8. The Applicant shall be required to comply with all applicable measures outlined within the Pacific Place Project Mitigation Monitoring and Reporting Program (MMRP), included as Attachment S of the Staff Report.

Special Conditions

9. All vehicles stored at the site shall maintain updated titles and registrations. Vehicles shall be maintained in drivable and/or roadworthy conditions at all times.
10. Storage spaces shall not be used for manufacturing, retail or wholesale selling, office, other business or service use or human habitation.

11. Outdoor storage shall be used exclusively for recreational vehicles as defined in the Long Beach Municipal Code. No outdoor personal storage, shipping containers, or semi-truck storage shall be allowed.
12. Onsite vehicle repair of any kind shall be prohibited.
13. Storage of inoperative vehicles shall be prohibited unless it is stored on a functioning trailer.
14. The operator of the use shall prevent loitering and loud noises including the playing of radios or other amplified sound around the project site and in all parking areas serving the use during and after hours of operation.
15. Occupation of recreational vehicles for overnight stay shall be prohibited.
16. Prefabricated shipping containers shall not be allowed on the project site.
17. Any proposed fencing shall be designed to be compatible with the desired character of the area.
18. The hours of operation and access to the building storage units shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday, Sunday and holidays. To further limit noise impacts, metal roll up doors shall be lubricated and maintained on a regular basis, to the satisfaction of the Director of Community Development.
19. The accessory car wash shall be limited to exclusive use by property owner or tenants of the storage facility and recreational vehicle storage lot only. Members of the general public shall be prohibited from using the car wash.
20. Any and all perimeter wrought iron fences shall be constructed in accordance with plans submitted and filed with the Department of Community Development.
21. The Applicant shall be responsible for implementation of all security measures outlined in the Long Beach Security Plan submitted and filed with the Department of Community Development under Application No. 2407-21.
22. The Project shall incorporate drought-tolerant and native trees and plants around the perimeter of the project site, as applicable and feasible, and in accordance with the approved landscape plan and MMRP. The Applicant shall submit landscaping and irrigation plans for the development of this portion of the project site for review by the City's Planning Landscape Specialist. Development of this area shall be completed prior to the issuance of a Certificate of Occupancy for the project.
23. In order to achieve the goals set forth in the Mobility Element relating to bicycle and pedestrian access, the Applicant shall coordinate with the City of Long Beach Community Development and Public Works Departments and/or the Los Angeles

County on the implementation of the Future Path Improvements (defined below).

24. The proposed project shall include the development and on-going maintenance of on-site improvements on the subject property, consistent with conceptual drawings shown in Attachment O of the staff report, including a future trail easement that will provide public access from the project site to the westerly vacant Los Angeles County Flood Control District (LACFCD) parcel, LA River, and existing bike path along the LA River. When the LACFCD parcel is developed, Applicant/current property owner will provide the following on the project site: adequate lighting; fencing (including a clear and visible opening to permit public access to the LA River during specified hours); adjacent trailhead; and signage at multiple, appropriate locations notifying the public of the access and the hours during which access is permitted, in order to ensure an enhanced accessway for the public to the Los Angeles River ("Future Path Improvements"). The final design of the improvements shall be subject to the review and approval of the Director of Community Development or their designee. The on-site improvements shall be constructed prior to the certificate of occupancy for the project. In the event that the LACFCD parcel has not begun development by the time of certificate of occupancy for the approved project, the applicant/current property owner shall be required to record a covenant against the subject property, requiring development of the aforementioned on-site improvements to begin in correlation with the development of the LACFCD parcel by the County for public open space.
25. The applicant shall conduct outreach on the details of the Future Path Improvements, in accordance with the conceptual plan shown in Attachment O of the staff report. Documentation of the outreach completed shall be submitted to the Planning Bureau at the time of plan check submittal for the building permit. The public outreach shall include the adjacent Los Cerritos Neighborhood Group, individuals commenting on the Draft Environmental Impact Report and other interested parties.
26. Upon renewal of the business license, the applicant shall file for an annual reinspection in accordance with Long Beach Municipal Code Section 21.25.212 for the purpose of ensuring compliance with all conditions of approval, including the continued coordination with City and County on the Future Path Improvements.
27. The applicant shall record an easement providing public access across the final approved path. The applicant shall prepare a draft of said easement to the Planning Bureau for the review and approval by the City Attorney prior to recordation. Proof of recordation shall be submitted prior to the issuance of the building permit.
28. The applicant shall cause these conditions of approval to be recorded against the property for the purpose of notifying future owners and buyers of the applicable conditions to maintain an easement and access to the LA River. The applicant shall submit a proof of recordation prior to issuance of the building permit.
29. All trucks, construction vehicles, and equipment not actively in use on the project site, including those queueing off-site, shall be prohibited from engine idling for more than 10 minutes, and the developer shall utilize best management practices (BMPs)

and best available technology to achieve this. The developer shall post a clearly-legible sign on the exterior construction fencing with the phone number of and equipment idling. Complaints of violations regarding truck and equipment idling shall be resolved within 24 hours of the receipt of the complaint. The Director of Community Development is authorized to issue stop work orders and withhold the issuance of building permits if the developer fails to remedy engine idling violations as required, until such time as the violations are remedied. All patrons and occupants of the project site shall be required to fill out and sign a lease and Motor Vehicle Addendum, as submitted to the Department of Community Development and filed under Application No. 2407-21. The Applicant shall incorporate language into their individual lease agreements stipulating that occupants are prohibited from idling recreational vehicles for longer than 10 minutes while at the facility.

30. The Applicant shall be required to address all standards imposed by the California Department of Toxic Substances Control (DTSC) prior to the issuance of building permits.
31. Adequate loading/unloading space shall be maintained on the ground level of the self-storage building, outside of fire lanes.
32. Prior to the issuance of a building permit, the Applicant shall be required to obtain a Certificate of Compliance and Lot Merger.
33. 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 20, 2024, attached to these conditions of approval (Attachment A) and by this reference made a part hereof.
34. The Applicant shall comply with all applicable water and sewer requirements issued for the project by Long Beach Utilities (Water/Sewer), in the memo dated February 3, 2025, attached to these conditions of approval (Attachment B) and by this reference made a part thereof.
35. The Applicant shall concurrently submit grading, shoring, and construction plans with engineering calculations, including any crane placement and radius, to the City of Long Beach Community Development Department and to the Los Angeles County Metropolitan Transportation Authority (Metro) to evaluate potential impacts to the Metro A Line infrastructure in relationship to the Project. The Applicant shall demonstrate Metro's approval on the final set of plans and calculations prior to City of Long Beach building permit issuance.
36. The Applicant shall comply with all applicable requirements of the City of Long Beach Building Bureau.

Public Works Conditions

37. The Applicant shall be required to comply with the following standards to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. Prior to the start of ANY demolition, excavation, or construction, the Developer 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 Developer 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. 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.
- c. 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.
- d. 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.
- e. All off-site improvements shall provide a minimum of 5 feet clear dedicated right-of-way between any and all obstructions for pedestrian travel purposes compliant with the most recent Americans with Disabilities Act (ADA) standards. All hardscape shall be constructed with Portland cement concrete (PCC). All removal limits shall consist of entire panel replacements (from joint line to joint line).
- f. The Applicant shall construct all conditioned off-site improvements within the public right-of-way of Pacific Place per ADA requirements 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.

- g. 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 the Public Works counter at the Permit Center on the 2nd Floor of City Hall (411 W. Ocean Blvd., Long Beach, CA 90802)**, for review and approval. The City's Public Works Engineering Standard Plans are available online at 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.**
- h. 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.

PUBLIC RIGHT-OF-WAY

- i. Pursuant to the submitted site plan, the Developer is proposing construction in the vicinity of a Los Angeles County Sanitation District sewer line and related easement and Caltrans owned storm drain facilities including 2 catch basins and 24" RCP pipe and related easements. The Developer shall be responsible for resolving all matters of easement(s) and/or utilities encroachment to the satisfaction of the interested agency or entity and the Director of Public Works.
- j. The Developer shall be responsible for resolving all matters of easement(s) and/or utilities encroachment to the satisfaction of the interested agency, City Department, and the Director of Public Works.
- k. 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

- l. The Developer is proposing to construct an unbuilt public road within an existing City of Long Beach right-of-way. The road shall be built per plans submitted for review and approval by the Director of Public Works.
- m. The Developer shall obtain any necessary approvals and permits from Caltrans for any encroachments or impacts to their right-of-way.

OFF-SITE IMPROVEMENTS

- n. The Developer shall build out Pacific Place road from the existing cul-de-sac, to the proposed development site as indicated in the submitted plans, to the satisfaction of the Director of Public Works. Improvement plans for this work will be prepared and submitted for review and approval by the Department of Public Works. The roadway width from curb face to curb face shall be 40 feet wide with a 6.5 foot PCC sidewalk adjacent to the northern curb and gutter and a 4 foot landscaped and irrigated parkway adjacent to the southern curb and gutter. The remaining width within the right-of-way shall be improved with mulch, or approved equivalent, and sloped to match existing conditions. Street trees with root barriers shall be provided within the southern parkway. Developer shall provide an acceptable pavement design for the proposed roadway based on the anticipated traffic loading for the site, to the satisfaction of the Director of Public Works.
- o. Developer shall provide a street lighting plan and photometric study for the proposed roadway to the satisfaction of the Director of Public Works. Developer shall provide an approved Southern California Edison plan for the proposed street lights.
- p. Applicant shall provide for new street trees with root barriers and associated irrigation along the southern curb of Pacific Place, per Section 21.42.050 and Section 14.28.020 of the Long Beach Municipal Code. Applicant and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
- q. Applicant shall contact the Street Tree Division at (562) 570-2770 prior to beginning the tree planting, landscaping, and any irrigation system work.
- r. The Developer shall resurface the pavement the full road width of North Pacific Place within the City of Long Beach right-of-way, (north of the Caltrans right-of-way line) to the limit of the proposed vacation of that street, to the satisfaction of the Director of Public Works. Improvement plans for this work will be prepared and submitted for review and approval by the Department of Public Works.
- s. The Developer proposes improvements that may impact existing underground/above ground utilities adjacent to the project site, specifically power poles and overhead utility lines adjacent to and along the eastern property line where a linear parking area is proposed. The Developer is responsible for all design, applicable utility approval, permitting, relocation work, and commissioning as required by the interested agency and shall work with each utility directly.
- t. 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 found damaged as a result of construction activities

shall be reconstructed or replaced.

- u. 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.
- v. The Developer shall submit a precise 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 issuance of a building permit.
- w. 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 Developer 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. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC AND TRANSPORTATION

- x. This development requires a Traffic Impact Analysis (TIA) be prepared by a registered Traffic Engineer in the State of California (Engineer's stamp required). Any conditions generated by the TIA shall be made a part of these conditions.
- y. The Developer shall provide "No Parking" signs along the new curb line of Pacific Place to the satisfaction of the City Traffic Engineer.
- z. Applicant shall provide for striped Class II bike lanes along the northern and southern curb and gutter within the newly constructed Pacific Place to the satisfaction of the City Traffic Engineer. A striping plan showing a 6 foot wide bike lane, a 3 foot wide striped buffer and a minimum 11 foot travel lane in each direction shall be provided for review and approval of the City Traffic Engineer and the Director of Public Works. Dimensions provided herein are subject to change based on coordination during plan check.
- aa. The Developer shall protect or replace all traffic signage within the public right-of-way adjacent to the project site.

- bb. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the current edition of the CA MUTCD.
- cc. The Developer shall grade and prepare to geotechnical requirements the area adjacent to the southern property line for a future paved bike path from Pacific Place to the Los Angeles River to the satisfaction of the City Traffic Engineer and the Director of Public Works. At the time of the future bike path construction, as stipulated in these conditions of approval, Applicant shall reserve a 12' access easement, install appropriate wayfinding signage, provide striping, and pave the bike path to the satisfaction of the City Traffic Engineer.

Standard Conditions

- 38. Any street lights, pedestrian lights, parking lot lights, building 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 Community Development 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.
- 39. Prior to issuance of a grading permit, the developer shall provide a construction staging plan to the Director of Community Development for review and approval. 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 Community Development and the City Engineer. The Director of Community Development 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.
- 40. The developer shall abide by the haul route/trucking route approved by the Director of Community Development 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 Community Development and City Engineer determine the developer's hauling practices to be remedied.
- 41. The developer shall provide final architectural plans and a sample of all final exterior finish and architectural materials and colors selected for construction to the Site Plan Review Committee for review, prior to issuance of a building permit.

If the final building design or materials specifications are found to be below the standards approved in concept, the developer shall remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Site Plan Review Committee.

42. 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.
43. All forms of barbed wire and razor wire shall be prohibited throughout the site.
44. 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.
45. 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. Wherever feasible, 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 to the greatest extent feasible by landscaping or another screening method approved by the Director of Community Development.
46. If, in the judgment of the Director of Community Development, criminal or nuisance behaviors become a problem at the project site to the detriment of neighboring businesses, residents, or land uses, the Director of Community Development or Chief of Police may require the property owner to provide for additional on-site security services or other measures as necessary to remedy the problem.
47. 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 Community Development.
48. All conditions of approval shall be printed verbatim on all plans submitted for plan review to the Department of Community Development. These conditions shall be printed on the site plan or a subsequent reference page.
49. 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.
50. The Director of Community Development 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.

51. 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 Community Development prior to the issuance of a building permit.
52. 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.
53. 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.
54. 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.
55. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
56. 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.
57. 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.
58. 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 Community Development prior to application for a temporary certificate of occupancy, or certificate of occupancy. 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. On-site landscaping shall comply with Chapter 21.42 (Landscaping Standards), as applicable, to the satisfaction of the Director of Community Development. The landscape plan check shall be submitted as a separate submittal concurrent with the building plan check.
59. Landscaped areas shall be planted with palette of species that are either native or widely used in the area in accordance with the MMRP and approved landscape. The project shall include 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.

60. 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.
61. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
62. 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.
63. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete or paving 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
64. 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).
65. 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.
66. 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.

67. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
68. 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.
69. 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 Community Development may require additional preventative measures such as but not limited to, additional lighting or private security guards.
70. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
71. Any graffiti found on site shall be removed within 24 hours of its appearance.
72. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
73. 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.