

**CONDITIONS OF APPROVAL  
SITE PLAN REVIEW  
5910 Cherry Avenue  
Application Number 2304-11 (SPR23-007 & ZCHG 23-002)  
July 18, 2024**

**Special Conditions**

1. This Site Plan Review approval is for the construction of a new 304,344-square-foot, concrete tilt-up industrial warehouse building 51 feet in height including 10,066 square feet of office on a 14.16-acre lot with 336 at-grade parking stalls, 44 overhead dock doors and approximately 33,783 sf of landscaping throughout the site.
2. All work shall be carried out in accordance with the activities shown on plans received by the Community Development Department, Planning Bureau, dated June 13, 2023.
3. Detailed landscaping and irrigation plans shall be submitted for review and approval in accordance with Chapter 21.42 of the City's Municipal Code. All detailed plan check plans shall be submitted as a separate plan check through the City's Building Department Plan Check process for review.
4. The landscaping shall be installed and maintained in accordance with the approved conceptual plans. Any landscaping which fails to thrive within any of the landscaped areas shall be removed and replaced within five (5) working days with an equivalent landscape material.
5. The applicant shall be responsible for coordinating the care and maintenance of all landscaping throughout the project for the life of the project.
6. A minimum of 331 required parking stalls shall be permanently maintained and in useful operation throughout the site. The number of Electric Vehicle (EV) charging stations and spaces shall meet California Building Standards Code Chapter 5 Section 5.106.5.3 requirements.
7. A minimum of nine (9) bicycle parking spaces shall be provided for and maintained on site pursuant to the City's Transportation Demand Ordinance (Section 21.64.030 of the City's Municipal Code). The type, spacing and placement of exterior bicycle racks shall follow the guidelines of the Transportation Demand Ordinance noted above and the Bicycle Master Plan to the Satisfaction of the Director of Community Development.
8. Pursuant to section 21.45.400 (b), the project shall meet the intent of LEED at the Certified Level to the satisfaction of the Director of Community Development. 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. During clearing, grading, earthmoving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures using the following procedures, as specified in the SCAQMD Rule 403. All material excavated or graded shall be sufficiently watered in sufficient quantities to prevent the generation of visible dust plumes. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All material transported on-site or off-site shall be securely covered to prevent excessive amounts of dust. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust. These control techniques shall be indicated in project specifications.
10. If cultural materials (e.g., chipped or ground stone, deposits of marine shell, historic debris, building foundations, or bone) are discovered during ground-disturbing activities, work within 20 meters (66 feet) of the discovery shall be stopped. The City of Long Beach Planning Bureau shall be notified of the discovery. Work near the archaeological find(s) shall not resume until a professional archaeologist who meets the criteria and qualifications as set forth by the Secretary of the Interior's Standards and Guidelines has evaluated the materials and offered recommendations for further action. Any identified cultural resources shall be recorded on Department of Parks and Recreation 523 historic resource recordation forms from the Office of Historic Preservation. If Native American archaeological remains are inadvertently encountered, representatives from local tribes engaged in consultation about the project shall be immediately notified, permitted to observe the findings in the field, and afforded the opportunity to make recommendations for avoiding, minimizing, or mitigating impacts from the proposed development.
11. If human remains are discovered during project construction, work within 20 meters (66 feet) of the discovery location, and within any nearby area reasonably suspected to overlie human remains, shall cease (Public Resources Code, Section 7050.5) and the City of Long Beach Planning Bureau shall be notified of the discovery. The Los Angeles County Coroner shall be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American burials, which fall within the jurisdiction of the California Native American Heritage Commission (Public Resources Code, Section 5097). In this case, the coroner will contact the California Native American Heritage Commission. The descendants or most likely descendants of the deceased will be contacted, and work shall not resume until they have made a recommendation to the landowner or person responsible for excavation work with direction regarding appropriate means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

12. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and Native American monitor. If the resources are Native American in origin, the tribe shall coordinate with the landowner regarding treatment and curation of these resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.
13. Prior to the issuance of any Grading Permit for the project, the City of Long Beach Community Development Department shall ensure that the construction contractor provide access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archaeological resources.
14. The contractor shall comply with Chapter 18.95 the Long Beach Municipal Code (LBMC), the National Pollutant Discharge Elimination System as part of Section 402 of the Clean Water Act and Standard Urban Stormwater Mitigation Plan regulations. Provisions for construction-related erosion and sediment control BMPs shall be incorporated within the construction plans and specifications. Because the project would result in increased impervious surface area, the project is subject to compliance with the Low Impact Development (LID) Ordinance (Section 18.74.040 LBMC) and LID BMP Design Manual (Long Beach Development Services 2013).

Section 18.74.040 of the LBMC, which requires runoff to be infiltrated, captured and reused, evapotranspired, and/or treated on-site through stormwater BMPs listed in the LID Best Management Practices Manual.

15. 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 5 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 a construction site complaint/issues coordinator responsible for managing truck 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.
16. 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 per a lighting plan submitted at the plan check phase 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.
17. Signage shall be installed and maintained adjacent to the two (2) drive approaches along Cherry Avenue. The northern most drive approach shall have signage prohibiting truck traffic from ingress or egress. Truck ingress and egress shall only be permitted at the southwesterly drive approach and shall have signage indicating as such. Passenger vehicles may use either drive approach.
18. Any installation of a Back-Up Generator and connected fueling tank requires construction permit from Long Beach Fire Department.
19. Storage of Hazardous Materials indoors requires prior approval by the Long Beach Fire Department.
20. The Applicant shall comply with Section 8.80.160 of the City's Municipal Code which specifies an order for the project to comply with the City's 45 dBA nighttime (10:00 p.m. to 7:00 a.m.) noise level limit at all times. Between the hours of 10:00 p.m. and 7:00 a.m., all trucks shall utilize loading docks located beyond 100 feet from the nearest single-family residences for unloading and loading activities.

21. Prior to obtaining a demolition permit, a Hazardous Material Survey will be necessary to evaluate asbestos, lead paint, mercury switches, light ballasts, etc. within the existing building and shall be submitted to the Community Development Department for review and approval.
22. Pursuant to the Long Beach Climate Action Plan (LBCAP), the project must utilize 100% zero-carbon electricity on-site. The project must comply with one of the following options:
  - i. Install on-site renewable energy systems or participate in a community solar program to supply 100% of the project's estimated energy demand to the maximum extent feasible; or
  - ii. Participate in Southern California Edison at the Green Rate level (i.e., 100% carbon-free electricity) for all electricity accounts associated with the project until which time SCE provides 100% carbon-free electricity for all accounts by default; or
  - iii. A combination of #1 and #2 above such that 100% of the project's carbon electricity is zero-carbon. If Southern California Edison Green Rate program is not available to supply 100% electricity for all tenants associated with the project The project may use third-party Renewable Energy Certificates (RECs) until the program becomes available. The RECs will be procured from California projects to the extent they are available. If California projects are not available, RECs will be procured from projects located in the Western Electricity Coordinating Council (WECC) region.
23. Applicant shall submit to the Planning Bureau, prior to the issuance of building permits, a working schedule for the design, installation, and activation of the required roof-top solar panels. Solar panels shall be installed, activated, and operational within one year of issuance of a final certificate of occupancy for the initial and first business license issued for the subject building on the property at 5910 Cherry Avenue
24. Pursuant to Section 21.45.400 (i) of the City's Municipal Code, the project shall provide:
  - i. Roofs designed to be solar-ready by allowing for an additional (4) pounds per square foot of dead load and providing conduit from the electrical panel to the roof; and
  - ii. A designated area for the collection of separated recyclables and organics provided adjacent to the area for the collection of waste; and

25. Pursuant to LBMC Section 21.64.030, the project shall comply with all applicable provisions of the transportation demand management items which includes:
  - i. Transportation Information Area(s);
  - ii. Preferential carpool/vanpool parking;
  - iii. Parking design to admit vanpools;
  - iv. Bicycle parking;
  - v. Carpool/vanpool loading zones;
  - vi. Efficient pedestrian access;
  - vii. Bus stop improvements per 21.64.030.B.3.c; and
  - viii. Safe bike access from street to bike parking.
26. The Applicant shall pay attention and be cognizant of the Technical Advisory Committee memorandum comments from the Building Department dated August 31, 2023 for the subject project.
27. The Applicant shall comply with the Memorandum from the Long Beach Police Department dated July 5, 2023, entitled CPTED: 5910 Cherry Avenue (Application No: 2304-11).
28. The Applicant shall pay attention and be cognizant of the Technical Advisory Committee memorandum comments from the Long Beach Water Department dated January 12, 2021, but received on May 5, 2023 by the Planning Bureau for the subject project.
29. The Applicant shall pay attention and be cognizant of the Technical Advisory Committee memorandum comments from the Long Beach Gas (Utilities) Department dated received on May 11, 2023 by the Planning Bureau for the subject project.
30. The Applicant shall comply with all mitigation measures of the 5910 Cherry Avenue Industrial Warehouse Development Environmental Impact Report (EIR) and its Mitigation Monitoring and Reporting Program (MMRP). The MMRP is attached to these conditions of approval and by this reference made a part hereof.
31. 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 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. 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.
- d. 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.
- e. 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.
- f. The Applicant shall provide easements to the City of Long Beach for any City required facilities including signage, required slopes, refuse collection access, utilities and associated appurtenances, and any other public necessities, to the satisfaction of the interested agency or City Department. A completed application with all required attachments and payment of fees must be submitted to the Department of Public Works prior to the issuance of a Certificate of Occupancy.
- g. 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 ADA standards. All hardscape shall be constructed with Portland cement concrete. All removal limits shall consist of entire panel replacements (from joint line to joint line).

- h. 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.
- i. 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 Community Development, Building & Safety Bureau.**
- j. 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.
- k. 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**

- l. The Developer shall provide a public access easement and improve an additional 2 feet minimum for sidewalk purposes in the vicinity of the bus stop on Cherry Avenue adjacent to the development site, resulting in a total sidewalk width of 12 feet for a length no greater than 5 feet beyond the length of either side of the required bus shelter specification, to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed of Portland cement concrete.
- m. The Applicant shall provide a minimum of 5' clear space around existing obstructions (light poles, utility poles, signs etc.) for sidewalk purposes along Cherry Avenue, adjacent to the development site, to the satisfaction of the Director



of Public Works. Sidewalk improvements shall be constructed of 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. 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).

- n. Applicant 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.
- o. Backflow preventer must be installed on private property and a Grant of Easement to the City must be applied for by separate instrument to the Department of Public Works.

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

- p. Applicant shall remove any unused driveways and curb cuts along the Project's frontage on all perimeter streets, and replace with full height curb, curb gutter and sidewalk pavement to the satisfaction of the Director of Public Works. All sidewalk improvements shall be constructed with Portland cement concrete.
- q. Subject to the improvement limits of the proposed driveways along Cherry Avenue, the Applicant shall provide for the relocation of the existing facilities in conflict with the new points of access, to the satisfaction of the Director of Public Works. The Developer shall contact the interested agency or City Department to coordinate the relocation of the affected facilities.
- r. The Applicant shall reconstruct the full 10 foot width of the sidewalk pavement along Cherry Ave along the project frontage, 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). All existing facilities or obstructions shall be relocated to the satisfaction of the agency or City Department with interest.
- s. Applicant appears to be connecting to and relocating existing Los Angeles County Flood Control District (LACFCD) infrastructure. Applicant shall obtain a permit from LACFCD for said work prior to the issuance of a City of Long Beach Public Works permit.
- t. Applicant shall provide for new tree wells and street trees with root barriers and associated irrigation on Cherry Ave, 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 Street Tree Division of 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.

- u. Applicant shall contact the Street Tree Division prior to beginning the tree planting, landscaping, and any irrigation system work.
- v. 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.
- w. 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 and alleyways 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.
- x. Applicant 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 Applicant, to the satisfaction of the Director of Public Works.
- y. 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.
- z. Applicant 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 approval of the map and/or release of any building permit.

- aa. Applicant shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
- bb. 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**

- cc. 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.
- dd. To improve transit connectivity to the site, the applicant shall construct a pedestrian refuge median which restricts left turns to and from Hungerford Street. The median shall include landscaping and irrigation consistent with other medians on Cherry Avenue and shall allow sufficient queuing space in a southbound left turn pocket for traffic entering the project site near 59th Street. Crossings to and from the median shall be marked with continental crosswalk markings, supplemented with rapid flashing beacons, and accessible ramps to access the proposed crosswalk.
- ee. The Applicant shall contact Long Beach Transit prior to the 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 Cherry Avenue. 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)).
- ff. 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 shall be designed and constructed per the City of Long Beach Standard Plan No. 105. 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.

- gg. 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.
- hh. 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.
- ii. The Applicant shall repaint the faded red curb along Cherry Avenue to the satisfaction of the City Traffic Engineer.
- jj. The Applicant shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- kk. The Applicant shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
- ll. 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.).
- mm. As necessary, applicant shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks along Cherry Avenue, to the satisfaction of the City Traffic Engineer; contact the Traffic Engineering Division, at (562) 570-6331, to request additional information regarding the most recent Bicycle Master Plan of the City of Long Beach.

### **Standard Conditions, Plans, Permits & Construction**

- 32. Prior to the issuance of a building permit, the Permittee 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.
- 33. 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.

34. 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.
35. 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.
36. 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.
37. Upon plan approval and prior to issuance of a building permit, the Permittee shall submit a reduced-size set of final construction plans for the project file.
38. 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.
39. 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.
40. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
41. The Permittee shall file a separate landscaping plan check submittal to the Department of Community Development for review and approval prior to issuance of a building permit.
42. The Permittee 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.

43. 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.
44. Site development, including landscaping, shall conform to the approved plans on file with the Department of Community Development. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
45. For projects consisting of new buildings, parking lots, or landscaped area, the Permittee 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.
46. The Applicant shall replace the existing mature trees removed to make room for the proposed industrial building on-site with 24-in and 36-inch box trees at a minimum ratio of approximately 5 to 1. A minimum of 105 trees shall be incorporated into the project.
47. 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.
48. 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.

49. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
50. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
51. 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.
52. 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:**

53. As provided in Section 21.21.406 of the Long Beach Municipal Code, every right or privilege authorized under this permit shall terminate three (3) years after the granting of the request and be of no further force and effect if the right or privilege has not been commenced within that three-year period. The termination will take effect without further City action if a timely request for extension of time has not been made or is denied. Any interruption or cessation necessitated by publicly declared emergency, fire, flood, earthquake or act of war or vandalism or cessation shall not result in the termination of the right or privilege.
54. This permit shall be invalid if the owner(s) and/or Permittee(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).
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 Community Development 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 Community Development.



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.