

**SITE PLAN REVIEW  
CONDITIONS OF APPROVAL  
1601 San Francisco Avenue  
Application No. 1806-11 (SPR18-032)  
Date: October 3, 2019**

1. The use permitted on the subject site, in addition to the other uses permitted in the General Industrial (IG) shall be the construction of two new industrial buildings of 48,657 square-feet and 46,215 square-feet respectively, on a lot of 3.93 acres. The project shall be developed in accordance to plans submitted and filed under Application Number 1806-11.
2. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval 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).
4. In accordance to the provisions of Long Beach Municipal Code (LBMC) Section 21.45.400, the applicant shall be required to provide 5 bicycle parking racks per each building.
5. Separate permits shall be required for any signage proposed on the two industrial buildings.
6. The applicant shall be required to comply with all applicable regulations of Chapter 21.64 (Transportation Demand Management) of the Long Beach Municipal Code.
7. Prior to the issuance of a building permit, the applicant shall submit a separate set landscape plans, complying with the regulations of Chapter 21.42 of the Long Beach Municipal Code.
8. The applicant shall be required to comply with all applicable permitting requirements of the South Coast Air Quality Management District (SCAQMD). Future uses that require a SCAQMD permit shall obtain said permits prior to the issuance of a business license for the new use.

**Mitigation Measure Conditions**

9. If site preparation/construction activities, including vegetation clearing, vegetation trimming, grading or other ground disturbing activities are initiated during the nesting bird season (February 1-August 31 for passerines, January 1 – August 31 for raptors), a

preconstruction nesting bird survey shall be conducted by a qualified biologist to determine the presence/absence, location, and status of any active nests on-site or within 100 feet of the site for nesting passerines, or within 250 feet of the site for nesting raptors. In areas where site access is limited or prohibited (e.g. private property) the area

will be surveyed using binoculars. Nesting bird surveys shall be completed not more than 14 days before the start of construction activities.

If active nests are discovered within 100 feet of the site for nesting passerines, or within 250 feet of the site for nesting raptors, a qualified biologist will establish a species-specific avoidance buffer around the nest where no construction activity is allowed until a qualified biologist has determined that the nest is no longer active. Encroachment into the buffer can occur at the discretion of the qualified biologist with the City's consent.

The City shall be provided with a preconstruction nesting bird survey results report within 48 hours of completion of the survey, if required, prior to obtaining the City issued grading permit, or within two weeks if not required for permit issuance. The report shall include date of the survey, date of the report, authors and affiliations, contact information, methods, study location, results, and discussion/recommendations. If nesting birds are found, a map must be included with locations, buffers, and recommended measures to avoid impacts to the nests.

10. Grades shall not be raised more than a foot within areas where settlement would directly impact structures or utilities. Moreover, fills greater than 2 feet shall be left in place and monitored by GPI personnel for at least four months prior to beginning construction. The installation of piles at a sufficient depth would help offset both static and downdrag loads associated with liquefaction. Additionally, surcharging, or the compaction of underlying loose silts and clays by introducing an earth embankment across an area, shall be implemented as a viable ground improvement practice.
11. If evidence of subsurface paleontological resources is found during excavation or construction, excavation and other construction activity in that area shall cease and the construction contractor shall contact the City of Long Beach Development Services Department. With direction from the Development Services Department, a paleontologist certified by the County of Los Angeles shall evaluate the find. If warranted, the paleontologist shall prepare and implement a standard Paleontological Resources Mitigation Program for the salvage and curation of the identified resources.
12. In the event that any suspect asbestos-containing materials (ACMs) are discovered during demolition activities, the materials shall be sampled and analyzed for asbestos content prior to any disturbance. Prior to the issuance of the demolition permit, the applicant shall provide a letter from a qualified asbestos abatement consultant that no ACMs are present in the buildings.

If additional ACMs are found to be present, all asbestos removal operations shall be performed by a Cal/OSHA-DOSH-registered and California-licensed asbestos contractor. All disturbance of ACMs, and/or abatement operations, shall be performed under the surveillance of a third-party Cal/OSHA Certified Asbestos Consultant. All disturbances of ACMs, and/or abatement operations, shall be performed in accordance with the

Cal/OSHA requirements set forth in 8 CCR 1529. Given the location of the project site, all asbestos abatement must also be performed in accordance with SCAQMD requirements set forth in Rule 1403 as well as all other applicable State and federal rules and regulations.

### **Lead**

Any suspect lead-based paint shall be sampled prior to any demolition activities. Any identified lead based paint located within buildings scheduled for renovation or demolition, or noted to be damaged, shall be abated by a licensed lead-based paint abatement contractor, and disposed of according to all state and local regulations. All construction work shall be subject to 29 Code of Federal Regulations (CFR) Part 1926.62 "Lead Exposure in Construction Interim Final Rule," which was adopted and incorporated into California's own standard Title 8 Code of California Regulations (CCR) Section 1532.1.

13. The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.
14. Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. 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) is 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. Any historic archaeological material that is not Native American in origin shall be curated at a

public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.

15. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.
16. Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).
17. If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.
18. Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary

to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

19. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

#### **Public Works Conditions**

20. The applicant shall be required to comply with the following standards, to the satisfaction of the Director of Public Works:

#### **GENERAL REQUIREMENTS**

- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
- b. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
- c. All facilities required by the Department of Public Works not in place and accepted prior to final map approval, must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
- d. Prior to the start of any on-site/off-site construction, the Subdivider shall submit a construction plan for pedestrian protection, construction area perimeter fencing, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).

#### **RIGHT-OF-WAY**

- e. The Subdivider shall provide easements to the City of Long Beach for any City required facilities including signage, required slopes, refuse collection access, and any other public

necessities, to the satisfaction of the interested agency or City Department. All easements shall show on the final map.

- f. Unless approved by the Director of Public Works, easements shall not be granted to third parties within areas proposed to be granted, dedicated, or offered for dedication to the City of Long Beach for public streets, alleys, utility or other public purposes until the final map filing with the County Recorder. If easements are granted after the date of tentative map approval and prior to final map recordation, a notice of subordination must be executed by the third-party easement holder prior to the filing of the final map.
- g. The Subdivider's site plan proposes construction within the vicinity of existing easements, underground/overhead utility lines, monitoring wells and gas lines. The Subdivider shall be responsible for resolving all matters of easement and utility line encroachment to the satisfaction of the interested agency, City Department, and the Director of Public Works.
- h. The Subdivider shall relocate or provide easements for all existing or proposed public utility facilities within the private property, to the satisfaction of the agency or City Department with interest. The Subdivider shall contact the interested entity(s) for review and approval prior to submitting detailed improvement plans to Public Works, and provide written approval during the plan check process. The Subdivider shall be responsible for the relocation of utility lines, quitclaim of easements, and new utility easements required in connection with this development. All easements shall show on the final map.
- i. The Subdivider 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. At this stage in the entitlement process the plans are conceptual in nature, and plan check is required for in-depth review of ADA compliancy. As determined during the plan check process, the Subdivider shall dedicate additional right-of-way necessary to satisfy unfulfilled ADA requirements.

#### OFF-SITE IMPROVEMENTS

- j. Subject to the improvement limits of the proposed driveways along San Francisco Avenue, the Subdivider 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 Subdivider shall contact the appropriate agency or City Department with interest to schedule the relocation work prior to submitting on-site grading plans.
- k. The Subdivider shall remove unused driveways and curb cuts, or portions thereof, and replace with full-height curb, curb gutter and sidewalk pavement to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- l. The Subdivider shall reconstruct the sidewalk pavement along San Francisco Avenue adjacent to the project site, to the full public sidewalk right-of-way width per City records, providing for a 10-foot wide public sidewalk with new tree wells and street trees to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.

- m. The Subdivider shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk curb and curb gutter along San Francisco Avenue adjacent to the project site, 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).
- n. The Subdivider shall provide for new street trees with root barriers along San Francisco Avenue adjacent to the project site, per Section 21.42.050 of the Long Beach Municipal Code. The Subdivider and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Subdivider shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and any irrigation work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide coverage, after five years of growth, of 50% of the total area dedicated for public right-of-way.
- o. The Subdivider shall resolve all issues relating to the existing storm drain and sewer lines within the vicinity of the proposed buildings. All abandonment or removal of existing on-site utility lines, and new connections made to the public facilities in the abutting public right-of-way, must be reviewed, approved, and accepted by the interested agency(s), City Departments, and the Director of Public Works prior to issuance of a building permit.

Note: An excavation permit issued by the Department of Public Works is required for all excavation work in the public right-of-way. Contact Construction Services, at (562) 570-2035, to request additional information regarding excavation permits.

- p. All rough grading shall be completed prior to the approval of the final map, otherwise, the Subdivider shall be responsible for processing an appropriate grading bond. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected to the satisfaction of the Director of Public Works prior to the approval of the final map.
- q. The Subdivider shall submit grading and related storm drain plans 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 final map.
- r. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. 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). Prior to issuance of a building permit, detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to Public Works for review and approval.
- s. 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.
- t. 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 Subdivider 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**

- u. A traffic impact analysis must be prepared for this project, under the supervision and approval of a registered Traffic Engineer in the State of California (Engineer's stamp required), and submitted for review to the City Traffic Engineer prior to issuance of a building permit. In addition, any physical street improvements must include a scaled drawing stamped by a registered Civil Engineer in the State of California. Any conditions generated by the analysis shall be made a part of these conditions.
- v. 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 28 feet require a variance; contact the Traffic & Transportation Bureau, at (562) 570-6331, to request additional information regarding driveway construction requirements.
- w. The Subdivider shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones adjacent to the project site.
- x. The Developer 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.
- y. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- z. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- aa. 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.).

## **LONG TERM MAINTENANCE**

- bb. The Subdivider and successors shall be responsible for the maintenance of the site drainage system, the operation and maintenance of any private connection to the public facilities in the abutting public right-of-way, and the maintenance of the sidewalk, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project "Conditions, Covenants and



Restrictions", and a recorded copy of said document shall be provided to the Director of Public Works.

### **Standard Conditions**

21. 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.
22. 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.
23. 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).
24. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
25. The Director of Development Services is authorized to make minor modifications to the approval design plans or any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
26. All rooftop mechanical equipment shall be fully screened on all sides to a height not less than that of the tallest item screened. Rooftop mechanical equipment shall be grouped together to minimize visual impact from the adjacent buildings. 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 plan must be submitted showing screening and must be approved by the Director of Long Beach Development Services prior to the issuance of a building permit.
27. Adequately sized trash enclosures shall be designed and provided for this project as per Section 21.45.167 of the Long Beach Municipal Code. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the property. Trash enclosures shall be designed to complement the building architecture, screened on all sides and provided for easy access. Prior to the issuance of a building permit, detailed drawings of these enclosures shall be submitted to the Director of Long Beach Development Services for review and approval of the enclosure designs and materials. Trash enclosures require a separate permit. The trash enclosure should be placed in a location that is easily accessible to trash collection trucks.

28. All loading areas shall be screened through a combination of fencing and landscaping.
29. All landscape areas must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plant materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
30. The applicant shall fully comply with all applicable provisions of the City's Interim Green Building Policy to the satisfaction of the Director of Long Beach Development Services. Prior to the issuance of a building permit, the applicant shall submit proof of registration with USGBC and a password allowing staff access to said registration, prior to the issuance of any building permits.
31. Energy conserving equipment, lighting and construction features shall be utilized on the buildings as feasible.
32. All parking areas serving the site shall provide appropriate security lighting with light and glare shields so as to avoid any light intrusion onto adjacent properties.
33. Use glass with less than 25% reflectivity on the exterior of both industrial buildings. All glazing (with the exception of spandrel glass) shall have a minimum visible light transmittance of 65% subject to review and approval of the Director of Long Beach Development Services.
34. Demolition, site preparation, and construction activities are limited to the following (except for the poring 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.
35. The Applicant shall defend, indemnify, and hold harmless, the City and its boards, commissions, agents, officers, and employees (collectively "City") from any claims, actions, or proceedings (individually referenced as "Claim" and collectively referred to as "Claims") filed against the City to attack, set aside, void, or annul the approval of the subject CUP or related entitlements, or any Claims brought against the City due to acts or omissions in any way connected to the Applicant's project. City shall promptly notify the Applicant of any Claim and shall cooperate in the defense of the Claim. Applicant shall be responsible to pay any and all costs of defending any claims brought against the City including any and all costs, including attorney's fees, incurred by the City in defense of the Claim or Claims.