

CONDITIONS OF APPROVAL**333 W. Ocean Boulevard
(Long Beach Civic Center)****Application No. 1504-04****November 9, 2015***(Revised December 15, 2015, for addition of Conditions 28 and 29)***Special Conditions:**

1. Approved under this permit are Certification of Supplemental EIR 02-15 and a Site Plan Review in conjunction with the new Long Beach Civic Center project, a four-block development consisting of a new City Hall, a new Port Building for Harbor Department administration, a new Main Library, a redeveloped Lincoln Park, and a private residential building, and two commercial mixed-use buildings. The six-building development also includes three parking garages, public street extensions of Chestnut and Cedar Avenues, related infrastructure and landscaping, and the demolition of the former Long Beach Courthouse and existing City Hall and Main Library buildings.
2. Final floor layouts of all City Hall and Port Building floor levels shall be subject to City Manager review and approval prior to the issuance of any tenant improvement permits for each respective building. The Port Building floor layouts shall be subject to an additional review by the Chief Executive Officer. In the event the required approvals for final floor layouts are not received within the time frames stipulated in the Project Agreement, final floor layouts submitted for approval shall be deemed approved under this special condition.
3. Mock-ups of exterior City Hall, Port Building, and Main Library building elements shall be subject to Director of Development Services, Chief Executive Officer, and Director of Library Services review and approval prior to the issuance of any post-core and shell Civic Center building permits. Items to be included in any mock-up shall include:
 - Curtain wall, panel, and shadowbox color and design
 - Glass frit pattern
 - Outdoor paving and joints

Mock-ups of interior City Hall, Port Building, and Main Library building elements shall be subject to Director of Development Services, Chief Executive Officer, and Director of Library Services review and approval prior to the issuance of any tenant improvement permits for the elements' respective building. Items to be included in any mock-up shall include:

- Terrazzo
- Millwork within public areas
- Polished interior concrete
- Glulam beams and column connections

- Council Chamber materials (flooring, seating, walls, dais)

In the event the required approvals for any mock-up is not received within the time frames stipulated in the Project Agreement, mock-ups submitted for approval shall be deemed approved under this special condition.

4. The rooftops of the City Hall, Port Building, and Main Library shall be outfitted with photovoltaic (solar) installations. Final installation size, arrangement, capacity, and production shall be subject to Building Official review and approval prior to the issuance of any electrical permits for the installations' respective building.
5. A comprehensive plan identifying the location, copy, and design of Civic Block wayfinding signage shall be subject to Director of Development Services review and approval prior to the issuance of any Civic Center tenant improvement permit.
6. A lighting plan identifying the location and design of all new light poles and fixtures and their proposed illuminance shall be subject to Director of Development Services review and approval prior to the issuance of any Civic Center tenant improvement permit.
7. Locations of new and relocated bus stops, their shelters, and any associated turnout areas within or adjacent to the project site shall be subject to Long Beach Transit and Director of Development Services review and approval prior to the issuance of any Public Works permit for related work within the public right-of-way.
8. Raised planters, benches, and other hardscape elements in Lincoln Park, the Civic Block plaza, and other publicly-accessible areas of the project site shall be designed with notches or be fitted with attractively designed and tamper-resistant skateboard deterrent devices to the satisfaction of the Directors of Development Services and Parks, Recreation & Marine. In the event the required approvals for any raised planters, benches, and other hardscape elements are not received within the time frames stipulated in the Project Agreement, the raised planters, benches, and other hardscape elements submitted for approval shall be deemed approved under this special condition.
9. A comprehensive Civic Block plaza drainage plan, compliant with all applicable provisions of the low impact development ordinance and best practices for stormwater management, shall be subject to Building Official review and approval prior to the issuance of any Civic Block building permits, including site grading.
10. Soil compaction in softscape areas throughout the project site shall not exceed 90-percent density unless required by the General Superintendent of the Department of Development Services' Building Bureau.
11. The location of the Harbor Department's fleet office within the Civic Block garage and the specifics of garage valet parking operations shall be subject to Harbor Department Executive Director and Director of Development Services review and

approval prior to the issuance of any Civic Block building permit beyond a foundation-to-grade permit. In the event the required approvals for the Harbor Department's fleet office location and specifics of garage valet parking operations are not received within the time frames stipulated in the Project Agreement, the fleet office location and specifics of garage valet parking operations submitted for approval shall be deemed approved under this special condition.

12. Final security call-box and gate locations for Civic Block garage access from Chestnut Avenue and Magnolia Avenue shall be subject to Director of Public Works, Director of Security at the Port, and Director of Development Services review and approval. These fixtures shall be in locations which minimize the potential for obstruction of Chestnut Avenue pedestrian and vehicle movements while satisfying the security requirements identified by the Security Division of the Port during detailed design development. A written narrative detailing delivery vehicle access protocol to this entrance shall be approved by the aforementioned department heads prior to the issuance of any Civic Block certificates of occupancy. In the event required approvals for the security call-box and gate locations, and the written narrative detailing delivery vehicle access protocol, are not received within the time frames stipulated in the Project Agreement, the final security call-box and gate locations, and the written narrative detailing delivery vehicle access protocol, submitted for approval shall be deemed approved under this special condition.
13. Final location of the relocated Police and Fire Memorial within the Civic Block plaza or Lincoln Park shall be to the satisfaction of the Chiefs of the Long Beach Police and Fire Departments. In the event the required approvals for the Police and Fire Memorial relocations are not received within the time frames stipulated in the Project Agreement, the final Police and Fire Memorial relocations submitted for approval shall be deemed approved under this special condition.
14. Final location of the relocated bicycle sculpture within the Civic Block plaza or Lincoln Park shall be to the satisfaction of the Director of Development Services. In the event the required approvals for the bicycle sculpture relocation are not received within the time frames stipulated in the Project Agreement, the final bicycle sculpture relocation submitted for approval shall be deemed approved under this special condition.
15. Existing on-site trees removed as a result of project-related demolition and construction activities shall be replaced at a 2:1 ratio. Existing street trees removed as a result of project-related demolition and construction activities shall be replaced at a 1.5:1 ratio. Final species selections of new and replacement trees, shrubs, and groundcover in the project area shall be identified on a comprehensive landscape plan that shall be subject to Director of Development Services review and approval as part of the site plan submission prior to the issuance of any Civic Center building permit beyond site grading. Additionally, Lincoln Park trees, shrubs, and groundcover shall be subject to Director of Parks, Recreation and Marine review and approval.

16. Speed bumps, speed humps, and other forms of raised pavement serving the purpose of traffic calming shall be prohibited on all public right-of-ways within and surrounding the project area unless so directed by the Director of Public Works.
17. A plan identifying the interim parking arrangement for City staff parking temporarily displaced from Lincoln Garage or the City's VIP parking area shall be subject to City Manager (or their designee) review and approval prior to the issuance of any Library-Lincoln Park Block building permits, including site grading for the new Main Library.
18. A minimum of three shadow box color options for the Port Building's window system shall be provided by the design team for review. Final color selections shall be subject to Chief Executive Officer and Development Services Director review and approvals prior to the issuance of any Port Building building permits beyond core and shell. In the event the required approvals for final color selections are not received within the time frames stipulated in the Project Agreement, the final color selections submitted for approval shall be deemed approved under this special condition.
19. The timing and phasing of traffic signals on public right-of-ways within and adjacent to the project site shall be to the satisfaction of the City Traffic Engineer.
20. An automobile access gate and/or access control shall be installed at the entrance of the Library-Lincoln Park Block's B2 garage level to prevent unauthorized access to this area. Method and design of access gate and/or access control shall be subject to Director of Development Services review and approval prior to the issuance of any garage-related Library-Lincoln Park Block building permit.
21. A reciprocal access agreement, to which the City and the developer are party, that covers parking, loading, and delivery access through the subterranean tunnel connecting the extension of Chestnut Avenue to the garage on the Library-Lincoln Park Block shall be recorded with the County of Los Angeles prior to Site Plan Review approval of any Center Block development.
22. Final design of the Lincoln Park restroom facility shall be subject to Directors of Development Services and Parks, Recreation & Marine review and approval prior to issuance of a Lincoln Park grading permit.
23. Bollards within the Civic Block and Library-Lincoln Park Block pedestrian paths shall be K-12 rated and their size and location subject to Director of Development Services review and approval prior to installation.
24. All Transportation Demand Management measures stipulated in Chapter 21.64 of the Long Beach Municipal Code shall be instituted into project design and function to the satisfaction of the Director of Development Services.

25. A temporary construction staging and equipment plan shall be subject to Building Official and Director of Public Works review and approval prior to the commencement of any demolition and construction activities.
26. Prior to issuance of a grading permit, the developer shall submit a proposed haul route for all construction truck trips to the Director of Development Services and the City Engineer for review. The Director of Development Services and/or City Engineer may modify this proposed haul route as they deem necessary throughout the entirety of project construction.
27. Specific design of the project's three private development buildings, beyond that which is included herein, shall be subject to future, separate Site Plan Review fees and permits, including review and approval by the Planning Commission.
28. An effort shall be made by the City to relocate the original Lincoln Park cannon back into Lincoln Park, with the final cannon location subject to review and approval by the Director of Development Services and the Director of Parks, Recreation & Marine.
29. Public outreach shall continue through the remaining development phases of the project to the satisfaction of the Director of Development Services.
30. The Department of Public Works submits the following requirements for the development of the proposed Long Beach Civic Center Master Plan. For additional information regarding off-site improvements, contact the Plan Check Coordinator, Jorge Magana, at (562) 570-6678.

General Requirements

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).

Public Right-of-Way

- b. The project shall include dedication of 80-feet, with fee interest, for public street and sidewalk purposes along Chestnut Avenue and Cedar Avenue, and improve the rights-of-way within the project boundary as depicted in Attachment 1. Rights-of-way improvements shall be constructed per plans reviewed and approved to the satisfaction of the Director of Public Works.
- c. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance for the newly dedicated rights-of-way and within the current public rights-of-way immediately adjacent to the development site to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA

requirements during construction plan review, the right-of-way dedication shall be provided.

- d. The Developer shall provide for any storm drain easements, if required, on the land under its control to the County of Los Angeles and provide a copy to the Director of Public Works for our records.

Engineering Bureau

- e. The Developer shall improve the sidewalks within the project boundaries as depicted in Attachment 1 along Broadway, Ocean Boulevard, Pacific Avenue and Magnolia Avenue with new street trees, parkways, and parkway landscaping per plans reviewed and approved by Public Works and to the satisfaction of the Director of Public Work.
- f. The Developer shall construct the new roadway, sidewalks, curb and curb gutters, wheelchair ramps and parkways as needed to complete the Chestnut and Cedar Avenue rights-of-way within the project boundaries as depicted in Attachment 1; from Broadway to Ocean Boulevard to the satisfaction of the Director of Public Works. The existing sidewalk, roadway and parkways along Chestnut Avenue within the project boundaries depicted in Attachment 1 shall be demolished and reconstructed to satisfy the new development requirements. All undersized storm drains within the adjacent rights-of-way shall be improved as required to accommodate any net increase of drainage flow generated by the project, per plans reviewed and approved by Public Works and to the satisfaction of the Director of Public Works.
- g. All public utilities fixtures including power/transmission line poles, streetlights, fire hydrants and any public utility fixture needed for public utility needs within the public rights-of-way immediately adjacent to the development site shall be installed, relocated, and/or replaced to the satisfaction of the Director of Public Works.
- h. The Developer shall provide for new tree wells, and street trees with root barriers and irrigation along Chestnut Avenue and Cedar Avenue adjacent to the development site within the project boundaries as depicted in Attachment 1 per the requirements of Long Beach Municipal Code Section 21.42.050. The Developer and/or successors shall privately maintain all street trees, landscaping and sprinkler systems required in connection with this project to the satisfaction of the Director of Public Works.
- i. The Developer shall submit a drainage plan for off-site improvements for approval by Public Works prior to issuance of a building permit.
- j. The Developer shall upgrade the existing storm drain system(s) in connection with this development as required to accommodate any net increase in drainage flow generated by the Project. Storm drain plans shall be submitted to Public Works for review and approval. An excavation permit issued by the Department of Public Works is required for all excavation work

in the public right-of-way. Contact Russ Caveness for information about excavation permits at (310) 570-6530. If applicable, the storm drain system(s) must be reviewed and approved and accepted for operations and maintenance by the County of Los Angeles Department of Public Works. The Developer shall contact Los Angeles Department of Public Works at (626) 458-4921 to initiate plan review. The Developer shall also provide said plans to the Director of Public Works for review prior to County approval.

- k. The Developer shall prepare a street lights study for this project under the supervision and approved (stamped) by a registered Engineer in the State of California to determine the off-site and interior street lighting requirements. The Developer shall submit street lighting system plans with lighting calculations for review and approval by Public Works prior to approval of any construction permit for work within the public rights-of-way.
- l. The Developer shall provide for the approved street lights and standard underground street lighting conduit within the public streets adjacent to the site within the project boundaries depicted in Attachment 1.
- m. The Developer shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements found damaged as a result of construction activities, including the truck routes used for construction deliveries, shall be reconstructed or replaced by the Developer to the satisfaction of the Director of Public Works.
- n. The Developer shall remove unused driveways within the project boundaries depicted in Attachment 1 and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. Sidewalk removal limits shall consist of entire panel replacements, from joint line to joint line.
- o. Public sidewalk, curbs, curb gutters and storm drain improvements shall be constructed with Portland Cement Concrete, and public roadways improvements with Asphalt concrete in accordance with Public Works Standards per approved plans and to the satisfaction of the Director of Public Works. All sidewalk improvement, curb and curb gutter removal and/or current to new sidewalk tie-in limits shall consist of entire panel replacements from joint line to joint line.
- p. The Developer shall repair the cracked, and uplifted section of sidewalk pavement within the project boundaries depicted in Attachment 1 along Magnolia Avenue, Ocean Boulevard and Pacific Avenue. 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).
- q. The Developer shall provide for the resetting to grade of existing manholes, pullboxes, and meters affected by the required off-site improvements to the

satisfaction of the Director of Public Works.

- r. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed in accordance with the approved plans.
- s. 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) 266-7500 or visit their website for complete instructions at www.waterboards.ca.gov/stormwtr/construction.html Left-click on the Construction General Permit 99-08-DWQ link.
- t. Public improvements shall be constructed in accordance with approved plans. Detailed off-site improvement plans shall be submitted to the Department of Public Works for review and approval.
- u. The Developer's site plan proposes a future commercial development on the south side 3rd Street, west of Pacific Avenue. With no specific details on this current site plan Public Works reserves the right to condition off-site improvements when a more detailed site plan have been submitted.

Traffic and Transportation Bureau

- v. There are high volume Long Beach Transit bus stops on Broadway, Ocean Boulevard and Pacific Avenue, fronting this development site. Architectural design for this project should reflect the presence of the bus stops. A widened sidewalk with enhanced paving should be provided for the bus stop area (at a minimum, 12 feet of sidewalk should be provided). Developer shall collaborate with Long Beach Transit and the Planning Bureau to take advantage of this opportunity.
- w. The Developer shall contact Long Beach Transit prior to the commencement of work to coordinate design and construction issues and to ensure that construction is coordinated with transit bus operations at the existing bus stop adjacent to the development site. Contact Shirley Hsiao, Manager of Service Development Planning, at (562) 591-8753.
- x. 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 requires a variance; contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information

regarding driveway construction requirements.

- y. A traffic report was prepared for this project, under the supervision and approved (stamped) by a registered Traffic Engineer in the State of California, as part of the Supplemental Environmental Impact Report. In addition, any proposed physical street improvements must include a scaled drawing stamped by a registered civil engineer.
- z. The Developer is to design and construct traffic signal modifications at the intersection of Chestnut Avenue (extended) and Ocean Boulevard, as required by the City Traffic Engineer, based on the operational assessment and geometric changes resulting from driveway, sidewalk, and crosswalk modifications. Such traffic signal modifications will include provisions for vehicle detection at the driveways and the development of new traffic signal timing.
- aa. The Developer shall install all new traffic signs that require removal to accommodate the new development within the public rights-of-way. All traffic signs shall be installed to the satisfaction of the City Traffic Engineer.
- bb. 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.
- cc. The Developer shall provide for the painting and/or stripping of all new streets in connection with this development, including, but not limited to bike lane striping along Chestnut Avenue, and Cedar Avenue. The Developer shall also repaint and/or strip all existing traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- dd. 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.).
- ee. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the site.

Timing

- ff. Elements of this Condition of Approval #30 related to the improvement of Magnolia Avenue and Chestnut Avenue, and Ocean Boulevard between Magnolia Avenue and Chestnut Avenue, shall be completed prior to the issuance of a Certificate of Occupancy for City Hall.
- gg. Elements of this Condition of Approval #30 related to the improvement of Pacific Avenue, Ocean Boulevard between Cedar Avenue and Pacific Avenue, and Broadway between Cedar Avenue and Pacific Avenue, shall

be completed prior to the issuance of a Certificate of Occupancy for Lincoln Park.

- hh. Elements of this Condition of Approval #30 related to the improvement of Cedar Avenue, and Ocean Boulevard between Chestnut Avenue and Cedar Avenue, shall be completed prior to issuing a Certificate of Occupancy for any Center Block residential unit.

EIR Mitigation Measures

31. The developer shall comply with all mitigation measures for Downtown Plan Program EIR 04-08 in addition to the following mitigation measures set forth in Supplemental EIR 02-15:

a. Aesthetics

- 1) **Mitigation Measure AES-2: Construction Screening.** Temporary fencing comprised of chain link or wood with screening material attached shall be used around the perimeter of the active construction site to buffer views of construction activities, as well as the staging of vehicles, equipment, and materials. In addition, the contractor shall affix or paint a plainly visible signs, on publicly accessible portions of the temporary fencing, with the following language: "POST NO BILLS". Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier. The contractor shall ensure through daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner, including the prompt removal of graffiti, throughout the construction period.

b. Air Quality

- 1) **Mitigation Measure AQ-2: Air Quality Safety Plan.**

If demolition occurs by implosion, the City shall approve an Air Quality Safety Plan that protects public health. The plan shall be prepared with and approved by the South Coast Air Quality Management District. Public safety measures include:

- A radius around the project site in which the public is prevented from being outdoors;
- Advanced notification of potential particulate matter and asbestos exposure to all land uses within 1,000 feet of the project site;
- Notice that windows should be closed at all buildings within the safety radius during the implosion until the City has provided notice that particulate matter and asbestos

concentrations have reached background concentrations;
and

- Air quality monitoring during the day of the implosion to confirm when particulate matter and asbestos concentrations have reached background concentrations.

- 2) **Mitigation Measure AQ-3: Low-VOC Paint.** The project applicant shall require all development operator(s) to use low-VOC paint on all interior and exterior surfaces. Paint should not exceed 50 g/L for all interior surfaces and exterior surfaces.

c. **Cultural Resources**

- 1) **Mitigation Measure CR-1(a): Historic Artifact Collection Program.** Impacts resulting from the demolition of the City Hall-Library Complex and Courthouse shall be minimized through development of an archival identification and collections program. The purpose of this program will be to identify the existing historic artifacts, documents and other objects that are currently stored at the Main Library, City Hall and Port of Long Beach facilities, as well as key components of the Old Courthouse and City Hall-Library Complex to be demolished, so that these important relics can be utilized in the future by researchers and the public for educational purposes. As part of the program, the City will itemize, catalogue and rehouse the items, and establish appropriate conservation and storage measures for long-term preservation. One possible location for rehousing items would be as a museum in the proposed project's new Library. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach Development Services Department.
- 2) **Mitigation Measure CR-1(b): Building Documentation.** Impacts resulting from the demolition of the City Hall-Library Complex and Old Courthouse shall be minimized through archival documentation of as-built and as-found condition. Prior to the issuance of the first occupancy permit for the project, the lead agency shall ensure that documentation of the building is completed in accordance with the general guidelines of Historic American Building Survey (HABS) documentation. The documentation shall include large-format photographic recordation, a historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History. The original archival-quality documentation shall be offered as donated material to repositories that will make it available for current and future generations. Archival copies of the documentation also would be submitted to the City of Long Beach Development Services Department, the downtown branch of the Long Beach Public Library, and the Historical Society

of Long Beach where it would be available to local researchers. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach Development Services Department.

d. **Noise and Vibration**

- 1) **Mitigation Measure Noise-1: Noise Control Plan.** If demolition occurs by implosion, the City shall approve a Noise Control Plan that protects public health and includes:
 - A site-specific map that delineates the hearing damage radius;
 - Safety measures to ensure that community members would not be within this radius during the implosion;
 - Control measures designed by an implosion expert to reduce noise at the source of the implosion; and
 - A statement that all demolition-related damage shall be repaired.
- 2) **Mitigation Measure Noise-2(a): Loading Areas.** The applicant shall submit site plans to the Department of Development Services showing that all loading and unloading areas would be oriented away from existing sensitive receptors and/or shielded by the proposed buildings such that the line-of-sight would be broken.
- 3) **Mitigation Measure Noise-2(b): Sound-Rated Windows and Glass Doors Near Commercial Uses.** The applicant shall install sound-rated windows and sliding glass doors on all residential units that are within 50 feet of commercial uses. Windows shall be at least STC 35 to ensure that commercial activities do not result in interior noise levels exceeding 35 dBA when the windows are closed.
- 4) **Mitigation Measure Noise-3: Vibration Control Plan.** If demolition occurs by implosion, the City shall approve a Vibration Control Plan that protects public health and adjacent buildings, and includes:
 - A site-specific estimate of the potential zones of vibration perceptibility and building damage;
 - A pre-construction survey to assess the foundations and facades of buildings within the damage zone;
 - A post-construction survey to assess damage, if any, caused by implosion; and
 - A statement that all demolition-related damage shall be repaired.
- 5) **Mitigation Measure Noise-6(a): Mechanical Ventilation.** The applicant shall provide mechanical ventilation in all residential units proposed along Broadway, Pacific Avenue, Third Street, Cedar

Avenue, Chestnut Avenue, and First Street, so that windows can remain closed at the choice of the occupants to maintain interior noise levels below 35 dBA Ldn.

- 6) **Mitigation Measure Noise-6(b): Sound-Rated Windows and Sliding Glass Doors.** The applicant shall install sound-rated windows and sliding glass doors on the residential units that face Broadway, Pacific Avenue, Third Street, and Cedar Avenue, as well as the proposed library, such that interior noise levels would not exceed 35 dBA Ldn when the windows are closed.

e. **Other CEQA**

- 1) **Mitigation Measure Other-1: Fumigation.** Prior to the issuance of demolition permits, the project applicant shall fumigate all buildings.

Project Design

32. The developer shall provide a sample of all final exterior finish materials selected for construction for review by the Director of Development Services, prior to issuance of core and shell building permits for the buildings upon which the respective exterior finishes are to be located. Additionally, final Lincoln Park exterior finish material selections shall be subject to Director of Parks, Recreation and Marine review and approval. If materials are found to be below the standards approved in the Project Agreement, the developer shall propose a different finish material, and provide samples, to the satisfaction of the Director of Development Services or, in the event the finish material pertains to Lincoln Park, the Director of Parks, Recreation and Marine. In the event the required approvals for final exterior finish materials are not received within the time frame stipulated in the Project Agreement, the final exterior finish materials submitted for approval shall be deemed approved under this special condition.
33. The architectural design of both Civic Block buildings shall be harmonious and complementary, and the architectural style shall not be changed between buildings or between phases of construction. The architectural designs of the City Hall, Port Building, and Main Library as presented in the Project Agreement are deemed to have met this requirement and no further action is required.
34. The Center Block development shall be designed in accordance with the Project Agreement and the design criteria set forth in Sections 4-6 of the Downtown Plan (PD-30). A section of First Street with non-traditional paving and curbless design shall be developed as a privately owned and operated street between Chestnut Avenue and Cedar Avenue as part of the Center Block development. The Center Block's First Street extension shall include a History Walk, complete with educational points of interest, to the satisfaction of the Director of Development Services.
35. 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.

36. All forms of barbed wire and razor wire shall be prohibited on the site.

Standard Conditions – Plans, Permits, and Construction:

37. Prior to the issuance of any core and shell building permit, the applicant shall submit a revised set of plans reflecting all of the design changes, if any, impacting these conditions of approval, to the satisfaction of the Director of Development Services.
38. All conditions of approval must be printed verbatim on a page or pages within all sets of 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.
39. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.
40. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in prominent locations within any front, side, or rear yard area that is adjacent to a public street. Furthermore, these devices shall be screened by landscaping or another screening method approved by the Director of Development Services.
41. The Director of Development Services 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. The Director of Parks, Recreation and Marine is similarly authorized to approve minor modifications to the approved Lincoln Park design plans. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, Planning Commission, or Parks and Recreation Commission, respectively.
42. All rooftop mechanical equipment excluding photovoltaic panels and communication antennas shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment screening plan must be submitted for approval by the Director of Development Services prior to the issuance of each core and shell building permit.

43. Upon plan approval and prior to issuance of each core and shell building permit, the applicant shall submit a reduced-size set of final construction plans for the project file. Additionally, copies of as-built building plans depicting any construction phase modifications, if any, shall be provided for each building prior to the issuance of the respective building's Certificate of Occupancy. A copy of the as-built Lincoln Park plan shall also be provided prior to the Park's final inspection.
44. 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.
45. 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.
46. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
47. 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.
48. Prior to the issuance of each core and shell building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations.
49. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
50. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. 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.

51. The applicant must submit complete landscape and irrigation plans for Director of Development Services review and approval prior to the issuance of a tenant improvement building permit for a particular building. 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. Turf shall be limited to less than 50% of the total landscaped area, excluding Lincoln Park. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50% or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Director of Development Services. Lincoln Park tree, shrub, and groundcover selections shall also be subject to Director of Parks, Recreation and Marine review and approval.
52. 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.
53. 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.
54. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.
55. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
56. Energy conserving equipment, lighting, and construction features shall be utilized in this project as specified in the Project Agreement.

57. 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.
58. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed) unless a modification is granted by the City's Noise Control Officer:
- 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:

59. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).
60. 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.
61. 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 inspection costs, including those performed by the Department of Parks, Recreation and Marine for Lincoln Park maintenance compliance.
62. 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 development conditions must be recorded with all title conveyance documents at time of closing escrow.

63. 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.
64. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
65. 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.
66. The operator of the approved use shall prevent loitering in all parking, plaza, and landscaping areas, including Lincoln Park. The operator must clean the parking, plaza, and landscaping areas, including Lincoln Park, 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 Development Services or Director of Parks, Recreation and Marine may require additional preventative measures, such as but not limited to, additional lighting or private security guards.
67. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
68. Any graffiti found on site must be removed within 24 hours of its appearance.
69. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
70. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.

71. 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.

Attachment 1—Map: *Project Boundaries for Public Works Improvements*

Attachment 1

PROJECT BOUNDARIES FOR PUBLIC WORKS IMPROVEMENTS

