

**CONDITIONS OF APPROVAL  
SITE PLAN REVIEW AND ADMINISTRATIVE USE PERMIT  
5860 Paramount Boulevard  
Application Number 2202-038 (SPR22-026, AUP22-011)  
October 20, 2022**

**Special Conditions**

1. This Site Plan Review approval is for the construction of a new 126,685-square-foot, concrete tilt-up industrial warehouse building, 41 feet in height including 43,400 square-feet of office on a 4.81-acre lot with 165 at-grade parking stalls, four (4) overhead dock doors and three (3) roll-up doors.
2. All work shall be carried out in accordance with the activities shown on plans received by the Development Services Department, Planning Bureau, dated April 19, 2022.t
3. The applicant shall ensure the tenant and drivers serviing the facility are educated on the truck routes through the city.
4. 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.
5. The landscaping shall be installed and maintained in accordance with the approved conceptual plans. Any landscaping which fails to thrive along shall be removed and replaced within five (5) working days with an equivalent landscape material.
6. The applicant shall be responsible for coordinating the care and maintenance of all landscaping throughout the project for the life of the project.
7. A minimum of 165 required parking stalls shall be permanently be 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.
8. A minimum of 13 bicycle parking spaces shall be provided for and maintained ion 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 Development Services.
9. 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 Development Services. 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.

10. 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.
11. 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.
12. 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.

13. 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.
14. Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services 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.
15. Prior to issuance of building permits, the Applicant shall submit evidence of the South Coast Air Quality Management District's and Regional Water Quality Control Board's approval of a General Construction Soil Management shall be prepared that includes general provisions for how soils will be managed on site for the duration of construction. General soil management controls to be implemented by the

contractor and the following topics shall be addressed within the Soil Management Plan:

- i. General worker health and safety procedures
  - ii. Encountering Potentially Impacted (Contaminated) Soil
  - iii. Disposal of Potentially Impacted Soil
  - iv. Dust Control
  - v. Management of soil stockpiles
  - vi. Traffic control
  - vii. Stormwater erosion control using best management practices
16. 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.
17. 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 Development Services 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.
18. 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 Development Services 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.

19. Signage shall be installed and maintained adjacent to the two (2) drive approaches along Paramount Boulevard. 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 be have signage indicating as such. Passenger vehicles may use either drive approach.
20. Any installation of a back-up generator and connected fueling tank requires construction permit from Long Beach Fire Department.
21. Storage of Hazardous Materials indoors requires prior approval by the Long Beach Fire Department.
22. The Applicant shall comply with Section 8.80.160 of the Long Beach Municipal Code (LBMC) 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.
23. 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 Development services Department for review and approval.
24. Pursuant to Section 21.45.400(i) of the Long Beach Municipal Code, the project shall provide:
  - i. Roofs shall be designed to be solar-ready by allowing for an additional eight (8) 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 recyclables and organics shall be provided adjacent to the area for the collection of waste.
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. Prior to issuance of building permits, the Applicant shall submit evidence of the Regional Water Quality Control Board's approval of below slab vapor barrier that shall be installed to limit migration pathway of Chemicals of Concern (COC)s from contaminated site soil into indoor air.
27. Prior to the issuance of building permits, the Applicant shall submit evidence of the South Coast Air Quality Management District's and Regional Water Quality Control Board's approval of a Soils Management Plan (SMP) that requires earth moving activities be performed in accordance with procedures set forth in the SMP in the event that oily soils, pipelines, (Underground Storage Tank) (UST)'s, or other underground features are encountered.
28. The Applicant shall comply to all Regulatory Compliance Measures included in the attached Air Quality and Greenhouse Gas Emissions Technical Study dated September 2022, for the proposed project.

#### **DEPARTMENT OF PUBLIC WORKS**

29. The Applicant shall comply with all conditions placed by the department of Public Works in their letter dated January 12, 2022.

#### **DEPARTMENT OF BUILDING OF SAFETY**

30. The project shall comply with the conditions as shown in the letter dated December 6, 2021, from the Department of Building and Safety, as attached to these conditions of approval.

#### **LONG BEACH ENERGY RESOURCES**

31. The developer/owner is responsible in coordinating with Long Beach Energy Resources to make sure there is a plan in place for the relocation or cut and cap of gas facilities. Pursuant to LBMC, any structures or obstructions are not allowed to be built above existing gas lines deterring access to those facilities. The developer/owner shall be aware of the cost and schedule impacts associated with the relocation work for the project.

#### **POLICE/CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

32. The project shall comply to the greatest extent feasible with the recommendations provided Long Beach Police Department's letter dated November 19, 2021, to the satisfaction of the Director of Development Services.

#### **STANDARD CONDITIONS, PLANS, PERMITS & CONSTRUCTION**

33. 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 Development Services.
34. All conditions of approval shall be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions shall be printed on the site plan or a subsequent reference page.
35. 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.
36. 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. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, or Planning Commission, respectively.
37. 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 Development Services prior to the issuance of a building permit.
38. 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.
39. 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.
40. 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.
41. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
42. The Permittee shall file a separate landscaping plan check submittal to the Department of Development Services for review and approval prior to issuance of a building permit.

43. 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.
44. 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.
45. 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.
46. 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 Development Services 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 Development Services.
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 Development Services 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 Development Services.
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.