

CONDITIONS OF APPROVAL

4200 E. Ocean Blvd. (Belmont Beach and Aquatic Center)

Application No. 1910-05

**(GPA19-001, ZCA19-010, ZCHG19-005, SPR19-027, LCPA19-005, LCDP19-023,
EIRA-03-19)**

December 19, 2019 (Planning Commission)

1. The following permits are approved for this application:
 - a. General Plan Amendment GPA19-001 resulting from a Zoning Code Amendment to an implementing ordinance of the Local Coastal Program, triggering a Local Coastal Program Amendment to amend the Local Coastal Program Element of the General Plan (no change to the General Plan Land Use District Map or Land Use Element);
 - b. Zoning Code Amendment ZCA19-010 for an amendment to PD-2 to create the new Subarea 5 and development standards for this project;
 - c. Zone Change from PD-2 – Subarea 1 and P (Park) to PD-2 – Subarea 5;
 - d. Site Plan Review SPR19-027 for construction of the Belmont Beach and Aquatics Center (BBAC), a City-owned recreational and competitive aquatics complex, as depicted on plans in project file no. 1910-05;
 - e. Local Coastal Program Amendment LCPA19-005 for the Zoning Code Amendment to PD-2, an implementing ordinance of the Local Coastal Program;
 - f. Local Coastal Development Permit for the portion of the project within the City's Coastal Zone Appealable Area jurisdiction; and
 - g. Acceptance of Environmental Impact Report Addendum EIRA-03-19.

Special Conditions:

2. Operations of outdoor uses at the site, including but not limited to all pool and aquatics activities, all vending, retail, and rental activities, and all public assembly activities and special events, shall end by 10:00 pm, nightly. All noise associated with these uses shall comply with the City's Noise Ordinance (Chapter 8.80, LBMC) after 10:00 pm, meaning that operations or events may need to end earlier than 10:00 pm to allow time for noise-generating cleanup or takedown activities to conclude by 10:00 pm.
3. All site lighting and illumination shall be shut off by 10:00 pm, nightly, excluding pedestrian-level lighting through the site and around the site perimeter, and any sign lighting required for public safety purposes.
4. All site lighting shall use exclusively full-cutoff lighting fixtures (or full-cutoff-equivalent Backlight-Uplight-Glare ("BUG") rating fixtures) that confine all light and glare to the ground plane within the facility's site perimeter.
5. A lighting plan identifying the location and design of all new light poles and fixtures and their proposed illuminance shall be submitted for review and approval by the Director of Development Services approval prior to the issuance of a building permit for pool complex.

6. A prominent monument or freestanding sign, identifying the name of the facility and its address, shall be constructed on the Ocean Blvd. frontage prior to any building final inspection for the project. The sign shall be designed to the satisfaction of the Director of Development Services. Development standards for sign area, copy, and height may be modified by the Director per Section 21.45.400.H of the Zoning Regulations.
7. Olympic Plaza shall be closed to vehicular traffic using a method such as decorative or retractable bollards or raised planters that provide impact resistance and positive stopping of any vehicles, access for emergency vehicles excepted. All on-site bollards shall be K-12 rated, and their size and location shall be subject to Director of Development Services review and approval prior to installation. The area of Olympic Plaza shall be incorporated into the site plan, as depicted on plans approved by the Planning Commission or City Council.
8. A sign package identifying the location, copy, and design of all on-site signs, including wayfinding and directory signs, shall be submitted for review by the Director of Development Services. This sign package shall be revised to the satisfaction of the Director prior to any building final inspection for the project. Signs shall include UV- and vandal-resistant coatings to the greatest extent feasible.
9. A detailed plan of the Ocean Boulevard-adjacent sound wall shall be submitted for review and approval by the Director of Development Services prior to the issuance of a building permit for the pool complex.
10. Raised planters, benches, and other hardscape elements in 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 Director of Development Services.
11. A comprehensive open space drainage plan, compliant with all applicable provisions of the low impact development ordinance and best practices for stormwater management, shall be subject to the Building Official review and approval prior to the issuance of grading permit(s).
12. All Transportation Demand Management measures specified in Chapter 21.64 of the Zoning Regulations shall be provided for in the project design, and shall function to the satisfaction of the Director of Development Services.
13. A construction staging and equipment plan shall be submitted for review and approval by the Director of Development Services prior to the commencement of any demolition or construction activities.

14. 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 Traffic Engineer for review and approval. The Director of Development Services and/or City Engineer may modify this proposed haul route as deemed necessary throughout the entirety of project construction.
15. Due to the street closure of Olympic Plaza, the Public Works Department shall provide for the relocation of any fire department connection, backflow preventer, and any other utility or public safety devices, infrastructure, and signage, including address signs, as necessary, resulting from the required change of addressing for the business located at 4101 Olympic Plaza (to be changed to 4100 E. Ocean Blvd. or other appropriate address as determined by the Building Official). The Building Official has the sole discretion to determine the appropriate address for any building in the City.

Public Works Department Conditions:

16. The Department of Public Works submits the following requirements for the development of the proposed Belmont Beach and Aquatic Center. For additional information regarding off-site improvements, contact the Plan Check Coordinator, Jorge Magana, at (562) 570-6678.
 - a. All work embraced herein shall be done in accordance with "Standard Specifications for Public Works Construction" (the Greenbook) together with the City of Long Beach (COLB) amendments to said specifications, City of Long Beach Standard Plans (all as most recently adopted by the City), and Standard Plans For Public Works Construction (SPPWC), 2009 Edition.
 - b. Storm drain work shall be performed in accordance with City of Long Beach ordinance requirements which specify the work must be done by a state and city licensed contractor under an excavation permit obtained from the Public Works counter, 10th Floor of City Hall, 333 West Ocean Boulevard, telephone (562) 570-6784, after City insurance requirements have been satisfied.
 - c. Prior to issuance of the appropriate permit, the contractor shall obtain a permit from California Division of Industrial Safety for the construction of trenches or excavations which are five feet or deeper. Sheeting, shoring and bracing for the trench excavation shall conform to the requirements of "Construction Safety Orders," Title 8, Division of Industrial Safety, State of California.
 - d. Permits to perform work within the public right-of-way must be obtained from the Public Works counter, 10th Floor of City Hall, 333 West Ocean Boulevard, telephone (562) 570- 6784. All work within the public right-of-way must be performed by a contractor holding a valid State of California

contractor's license and City of Long Beach Business License sufficient to qualify the contractor to do the work. Contractor shall have on file with the City Engineer a Certification of general liability insurance and an endorsement evidencing minimum limits of required general liability insurance.

- e. Prior to City approval of street work, the contractor shall furnish the City Engineer with signed, stamped and dated grade sheets prepared by a civil engineer or land surveyor for surface improvements and drainage structures. Invert elevations at connections with existing drainage lines shall be confirmed before submittal to the City. The required signature shall be preceded by the following note: "This approved grade sheet was prepared by me or under my directions, and to the best of my knowledge, is true and mathematically correct."
- f. Approval of this plan by the City of Long Beach does not constitute a representation as to the accuracy of the location or the existence or non-existence of any underground utility pipe or structure within the limits of this project. The contractor is required to take due precautionary measures to protect the utility lines shown and any other line not on record or not shown on these plans. All utility lines and structures that may be damaged on account to the contractor's operations shall be repaired or replaced at contractor's expense, to the satisfaction of the City.
- g. The contractor shall notify the Public Works Inspection Section at (562) 570-5160 at least 48 hours prior to the start of construction.
- h. The contractor shall notify all utility companies 48 hours prior to the start of construction of the improvements shown on these plans.
 1. Underground Service Alert (USA/SC) Telephone: (800) 227-2600.
 2. City of Long Beach Water Department or USA/SC (Water, Sewer and Storm Drain Facilities) Operations Service Center Telephone: (562) 570-2389 or (562) 570-2390.
 3. City of Long Beach Gas and Oil Department or USA/SC Telephone: (562) 570-2030.
 4. City of Long Beach Bureau of Traffic and Transportation, Traffic Signals Coordinator, Operations Division Telephone: (562) 570-2762
 5. City Light and Power, Inc. (Street Light Facilities) Telephone: (562) 983-2000.
 6. City of Long Beach Parks, Recreation and Marine Department, Marine Bureau Manager: (562) 570-3242.
- i. Removal, adjustment or relocation of utilities or any work on the area of their recorded easements shall be done only with approval of the utility owners, obtained before starting the work.

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- j. Any revisions made to approved plans shall need subsequent approval by the City Engineer and the Director of Parks, Recreation and Marine before starting the work.
- k. Within 72 hours after final surfacing is placed, all manholes and valve box frames and covers shall be adjusted by the contractor to finish grade except those owned by the Gas and Oil Department, which will be adjusted by the department's crew. In the case of the Water Department, the adjustment shall be made by the contractor in association with the Department, all at contractor's expense.
- l. Top of manholes shall conform to approved street or alley grades, with a minimum of two adjustment rings.
- m. Cold-mill asphalt concrete where joining existing pavement as shown on the Standard Plans or as directed by the City Engineer.
- n. Asphalt concrete surface course shall be PG64-10.
- o. Provide a minimum of 4 feet wide Portland cement concrete (PCC) strip adjacent to the property line and across the driveway (cross slope of 2 percent, maximum) for use as a disabled access. (Specify the value of the "X", "Y" and "W" dimensions on driveways in accordance with City of Long Beach Standard Plan No.105)
- p. Contact the Long Beach Transit Company before doing any work at transit bus stops, shelters, signs, or appurtenances.
- q. Storm drain connector pipe shall be reinforced concrete pipe (RCP) with a minimum D load of D-1750.
- r. The maximum trench width shall be the outside diameter of the pipe plus 20 inches. If exceeded, contractor shall be required to construct special bedding acceptable to the City Engineer.
- s. Concrete backfill shall be used at any location with less than 24 inches of cover from top of pipe to finish grade, unless otherwise approved by the City Engineer.
- t. Bedding shall be per Section 306-1.2.1 of the Standard Specifications for Public Works Construction (the "Greenbook", and City of Long Beach Standard Plan No. 634.
- u. Backfill shall be mechanically compacted to 90 percent minimum relative density per Section 306-1.3 of the Standard Specifications for Public Works Construction (the "Greenbook") and shall have a minimum sand equivalent of 15.
- v. Trench excavation requirements shall be in accordance with City of Long Beach Standard Plan No. 127 and No. 634.

- w. Private storm drains shall have the City of Long Beach identification eliminated from the manhole covers. Only the letters "SD" shall be shown on the manhole cover.
- x. If soils tests have been taken, information relating to the soils suitability for backfill and bedding shall be stated on the plans and the groundwater table shall be plotted on the drawing profile.
- y. The contractor shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree well construction, tree planting 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.
- z. Proposed utilities and tree wells shall be in place before concreting the public sidewalk.
- aa. Existing traffic loop detectors and traffic striping damaged during construction shall be repaired to the satisfaction of the City Engineer.

Parks, Recreation, and Marine Department Conditions

17. The Department of Parks, Recreation and Marine submits the following requirements for the development of the proposed Belmont Beach and Aquatic Center:
- a. All required approvals from the Parks and Recreation Commission must be secured prior to permit issuance.
 - b. Plans, at each stage of plan check, shall be routed to the Department of Parks, Recreation and Marine.
 - 1) Address plans to Park Development Officer, 2760 Studebaker Road, Long Beach, CA 90815.
 - c. Prior to the ordering of materials, the developer shall provide all submittals to the Department of Parks, Recreation and Marine for review.
 - 1) Address plans to Park Development Officer, 2760 Studebaker Road, Long Beach, CA 90815.
 - d. Any park or beach 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 Parks, Recreation and Marine.
 - e. Prior to certificate of completion, the following shall be provided by the developer to the Department of Parks, Recreation and Marine:
 - 1) Final as-built plans (two printed copies, and one electronic PDF and one cad file),

- 2) Property documentation, including but not limited to, site survey, recorded deed, final map, soils report (one electronic PDF)
- 3) Address all documents to Park Development Officer, 2760 Studebaker Road, Long Beach, CA 90815.

f. Landscaping & Irrigation

- 1) The irrigation control system shall be designed to City standard (CalSense 3200 model for automatic irrigation control with modem) and connected to the City's central irrigation control system.
- 2) All landscape related piping under concrete shall be sleeved.
- 3) The project's plant palette shall be subject to Director of Parks, Recreation and Marine's review and approval prior to the issuance of a building permit for the pool complex.
- 4) Prior to tree planting, and installation landscaping and irrigation system, the developer shall contact the City Park Landscape Maintenance Superintendent in the Department of Parks, Recreation and Marine, at (562) 570-4879. Department staff will inspect and accept all tree and plant specimens placed prior to planting.
- 5) Prior to final inspection, the developer shall contact the City Park Landscape Maintenance Superintendent in the Department of Parks, Recreation and Marine, at (562) 570-4879, following all tree planting, landscaping, and irrigation system installation. Department staff will perform a final inspection, identify any items for a contractor punch list and will accept all tree planting, landscaping, and irrigation system placed in the park.

g. Facility

- 1) Prior to installation of facility systems, the developer shall contact the City Marine Maintenance Superintendent in the Department of Parks, Recreation and Marine, at (562) 570-1583. Department staff will inspect and accept all system components prior to installation.
- 2) Prior to final inspection, the developer shall contact the City Marine Maintenance Superintendent in the Department of Parks, Recreation and Marine, at (562) 570-1583, following installation of all facility systems. Department staff will perform a final inspection, identify any items for a contractor punch list and will accept all tree planting, landscaping, and irrigation system placed in the park.
- 3) The developer shall provide a sample of all final interior and exterior finish materials selected for construction for review by the Director of Parks, Recreation and Marine.

- 4) The construction staging plan shall be subject to Director of Parks, Recreation and Marine's review and approval prior to the issuance of a building permit for the pool complex.

EIR Mitigation Monitoring and Reporting Program (MMRP)

18. The developer shall comply with all mitigation measures set forth in the Belmont Pool Revitalization Project (EIR 01-16) Mitigation Monitoring and Reporting Program (MMRP):

a. Aesthetics

- i. **Mitigation Measure 4.1.1: Maintenance of Construction Barriers.** Prior to issuance of any construction permits, the Development Services Director, or designee, shall verify that construction plans include the following note: During construction, the Construction Contractor shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner. In the event that unauthorized materials or markings are discovered on any temporary construction barrier or temporary pedestrian walkway, the Construction Contractor shall remove such items within 48 hours.

b. Biological Resources

- i. **Mitigation Measure 4.3.1: Migratory Bird Treaty Act.** Tree and vegetation removal shall be restricted to outside the likely active nesting season (January 15 through September 1) for those bird species present or potentially occurring within the proposed Project area. That time period is inclusive of most other birds' nesting periods, thus maximizing avoidance of impacts to any nesting birds. If construction is proposed between January 15 and September 1, a qualified biologist familiar with local avian species and the requirements of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code shall conduct a preconstruction survey for nesting birds no more than 3 days prior to construction. The survey shall include the entire area that will be disturbed. The results of the survey shall be recorded in a memorandum and submitted to the City of Long Beach (City) Parks, Recreation, and Marine Director within 48 hours. If the survey is positive, and the nesting species are subject to the MBTA or the California Fish and Game Code, the memorandum shall be submitted to the California Department of Fish and Wildlife (CDFW) to determine appropriate action. If nesting birds are present, a qualified biologist shall be

retained to monitor the site during initial vegetation clearing and grading, as well as during other activities that would have the potential to disrupt nesting behavior. The monitor shall be empowered by the City to halt construction work in the vicinity of the nesting birds if the monitor believes the nest is at risk of failure or the birds are excessively disturbed.

- ii. **Mitigation Measure 4.3.2: Local Tree Removal Ordinances.** Prior to the start of any demolition or construction activities, the City of Long Beach (City) Parks, Recreation, and Marine Director, or designee, shall obtain a tree removal permit from the City's Public Works Director. A City-approved Construction Plan shall be submitted with the permit to remove tree(s). The City-approved Plan shall show that the existing City (parkway) tree has a direct impact on the design and function of the proposed Project. The City shall incur all removal costs, including site cleanup, make any necessary repair of hardscape damage, and replace the tree. The removed tree shall be replaced with an approved 15-gallon tree and payment of a fee that is equivalent to a City-approved 15-gallon tree.

c. **Cultural Resources**

- i. **Mitigation Measure 4.4.1: Paleontological Resources Impact Mitigation Program.** Prior to commencement of any grading or excavation activity on site, the City of Long Beach (City) Development Services Director, or designee, shall verify that a paleontologist has been retained on an on-call basis for all excavation from the surface to depths of 23 feet (ft) below the surface. Once a depth of 23 ft is reached, the paleontologist shall visit the site and determine if there is a potential for the sediments at this depth to contain paleontological resources.

A paleontologist shall not be required on site if excavation is only occurring in depths of less than 23 ft, unless there are discoveries at shallower depths that warrant the presence of a paleontological monitor. In the event that there are any unanticipated discoveries, the on-call paleontologist shall be called to the site to assess the find for significance, and if necessary, prepare a Paleontological Resources Impact Mitigation Program (PRIMP) as outlined below.

If excavation will extend deeper than 23 ft, exclusive of pile-driving and vibro-replacement soil stabilization techniques, the paleontologist shall prepare a PRIMP for the proposed Project. The PRIMP should be consistent with the guidelines of the Society of Vertebrate Paleontologists (SVP, 1995 and 2010) and shall include but not be limited to the following:

- Attendance at the pre-grade conference or weekly tailgate meeting if the PRIMP is initiated after the commencement of grading, in order to explain the mitigation measures associated with the Project.
- During construction excavation, a qualified vertebrate paleontological monitor shall initially be present on a full-time basis whenever excavation shall occur within the sediments that have a high paleontological sensitivity rating. Based on the significance of any recovered specimens, the qualified paleontologist may set up conditions that shall allow for monitoring to be scaled back to part-time as the Project progresses. However, if significant fossils begin to be recovered after monitoring has been scaled back, conditions shall also be specified that would allow increased monitoring as necessary. The monitor shall be equipped to salvage fossils and/or matrix samples as they are unearthed in order to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment in the area of the find in order to allow removal of abundant or large specimens.
- The underlying sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix; therefore, these sediments shall occasionally be spot-screened through 1/8 to 1/20-inch mesh screens to determine whether microfossils exist. If microfossils are encountered, additional sediment samples (up to 6,000 pounds) shall be collected and processed through 1/20-inch mesh screens to recover additional fossils. Processing of large bulk samples is best accomplished at a designated location within the Project that shall be accessible throughout the Project duration but shall also be away from any proposed cut or fill areas. Processing is usually completed concurrently with construction, with the intent to have all processing completed before, or just after, Project completion. A small corner of a staging or equipment parking area is an ideal location. If water is not available, the location should be accessible for a water truck to occasionally fill containers with water.
- Preparation of recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils and the removal of surplus sediment from around larger specimens to reduce the volume of storage for the repository and the storage cost.

- Identification and curation of specimens into a museum repository with permanent retrievable storage, such as the Natural History Museum of Los Angeles County (LACM).
- Preparation of a report of findings with an appended itemized inventory of specimens. When submitted to the City Development Services Director, or designee, the report and inventory would signify completion of the program to mitigate impacts to paleontological resources.

d. Geology and Soils

- i. **Mitigation Measure 4.5.1: Conformance with the Project Geotechnical Studies.** All grading operations and construction shall be conducted in conformance with the recommendations included in the Report of Preliminary Geotechnical Investigation for the Proposed Belmont Plaza Olympic Pool Revitalization Project, prepared by MACTEC (April 14, 2009); the Geotechnical Investigation for the Temporary Myrtha Pool and Associated Improvements, Belmont Plaza Revitalization, prepared by GMU Geotechnical, Inc. (April 3, 2013); the Preliminary Geotechnical Report for the Belmont Plaza Pool Rebuild-Revitalization prepared by AESCO (April 24, 2014); and Soil Corrosivity Evaluation for the Belmont Plaza Pool Facility Rebuild/Revitalization Project, prepared by HDR Schiff (April 23, 2014), which together are referred to as the Geotechnical Evaluations. Design, grading, and construction shall be performed in accordance with the requirements of the City of Long Beach (City) Municipal Code (Title 18) and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the requirements of the Project geotechnical consultant as summarized in a final written report, subject to review and approval by the Development Services Director, or designee, prior to commencement of grading activities.

Specific requirements in the Final Geotechnical Report shall address:

1. Seismic design considerations and requirements for structures and nonstructural components permanently attached to structures
2. Foundations including ground improvements (deep soil mixing and stone columns) and shall foundation design
3. Earthwork, including site preparation for structural areas (building pad) and sidewalks, pavements, and other flatwork areas; fill material; temporary excavations; and trench backfill
4. Liquefaction

5. Site drainage
6. Slabs-on-grade and pavements
7. Retaining walls

Additional site testing and final design evaluation shall be conducted by the Project geotechnical consultant to refine and enhance these requirements, if necessary. The City shall require the Project geotechnical consultant to assess whether the requirements in that report need to be modified or refined to address any changes in the Project features that occur prior to the start of grading. If the Project geotechnical consultant identifies modifications or refinements to the requirements, the City shall require appropriate changes to the final Project design and specifications.

Grading plan review shall also be conducted by the City's Development Services Director, or designee, prior to the start of grading to verify that the requirements developed during the geotechnical design evaluation have been appropriately incorporated into the Project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the Project geotechnical consultant as summarized in a final report based on the CBC applicable at the time of grading and building and the City Building Code. On-site inspection during grading shall be conducted by the Project geotechnical consultant and the City Building Official to ensure compliance with geotechnical specifications as incorporated into Project plans.

- ii. **Mitigation Measure 4.5.2: Corrosive Soils.** Prior to issuance of any building permits, the City of Long Beach (City) Development Services Director, or designee, shall verify that structural design conforms to the requirements of the geotechnical study with regard to the protection of ferrous metals and copper that will come into contact with on-site soil. In addition, on-site inspections shall be conducted during construction by the Project geotechnical consultant and/or City Building Official to ensure compliance with geotechnical specifications as incorporated into Project plans.

The measures specified in the geotechnical study for steel pipes, iron pipes, copper tubing, plastic and vitrified clay pipe, other pipes, concrete, post tensioning slabs, concrete piles, and steel piles shall be incorporated into the structural design and Project plans where ferrous metals (e.g., iron or steel) and/or copper may come into contact with on-site soils.

e. Hazards and Hazardous Resources

- i. **Mitigation Measure 4.7.1: Contingency Plan.** Prior to issuance of any excavation or grading permits or activities, the City of Long Beach (City) Fire Department (LBFD), or designee, shall review and approve a contingency plan that addresses the potential to encounter on-site unknown hazards or hazardous substances during construction activities. The plan shall require that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the LBFD. The LBFD responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.
- ii. **Mitigation Measure 4.7.2: Pre-demolition Surveys.** Prior to commencement of demolition and/or construction activities, the City LBFD, or designee, shall verify that pre-demolition surveys for asbestos-containing materials (ACMs) and lead (including sampling and analysis of all suspected building materials) shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e., American Society for Testing and Materials E 1527-05, and 40 Code of Federal Regulations [CFR], Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the pre-demolition surveys do not find ACMs or lead-based pipes (LBPs), the inspectors shall provide documentation of the inspection and its results to the City LBFD, or designee, to confirm that no further abatement actions are required.

If the pre-demolition surveys find evidence of ACMs or lead, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, and 763). Air monitoring shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers. The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the LBFD showing that abatement of any ACMs or lead identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agencies (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations Title 8, Article 2.6). An Operating and Maintenance Plan

shall be prepared for any ACM or lead to remain in place and shall be reviewed and approved by the LBFD.

f. Hydrology and Water Quality

- i. **Mitigation Measure 4.8.1: Construction General Permit.** Prior to issuance of a grading permit, the City of Long Beach (City) shall obtain coverage for the proposed Project under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, Permit No. CAS000002), as amended by Order Nos. 2010-0004-DWQ and 2012-0006-DWQ (Construction General Permit), or subsequent issuance. For projects with a disturbed area of 5 or more acres, a Storm Water Pollution Prevention Plan (SWPPP) with construction Best Management Plans (BMPs) is required to be submitted to both the Los Angeles Regional Water Quality Control Board (RWQCB) and the City.

The City shall provide the Waste Discharge Identification Numbers to the Development Services Director to demonstrate proof of coverage under the Construction General Permit. A SWPPP shall be prepared and implemented for the proposed Project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction BMPs to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities.

- ii. **Mitigation Measure 4.8.2: Dewatering During Construction Activities.** During project construction, the City of Long Beach Development Services Director, or designee, shall ensure that any dewatering activities during construction shall comply with the requirements of the Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2013-0095, Permit No. CAG994004) (Groundwater Discharge Permit) or subsequent permit. This Groundwater Discharge Permit shall include submission of a Notice of Intent (NOI) for coverage under the permit to the Los Angeles RWQCB at least 45 days prior to the start of dewatering and compliance with all applicable provisions in the permit, including water sampling, analysis, and reporting of dewatering-related discharges. If dewatered groundwater cannot meet the discharge limitations specified in the Groundwater Discharge Permit, a permit shall be obtained from the Los Angeles County Sanitation District

(LACSD) to discharge groundwater to the sewer per LACSD's Wastewater Ordinance.

- iii. **Mitigation Measure 4.8.3: Standard Urban Stormwater Mitigation Plan.** Prior to issuance of grading permits, the City shall submit a Final Standard Urban Stormwater Mitigation Plan (SUSMP) for the proposed Project to the Development Services Director for review and approval. Project-specific site Design, Source Control, and Treatment Control BMPs contained in the Final SUSMP shall be incorporated into final design. The BMPs shall be consistent with the requirements of the *Low Impact Development (LID) Best Management Practices (BMP) Design Manual*. Additionally, the BMPs shall be designed and maintained to target pollutants of concern and reduce runoff from the Project site. The SUSMP shall include an operations and maintenance plan for the prescribed Treatment Control BMPs to ensure their long-term performance.
- iv. **Mitigation Measure 4.8.4: Hydrology Reports.** Prior to issuance of grading permits, the City shall submit a final hydrology report for the proposed Project to the City Development Services Director, or designee, for review and approval. The hydrology report shall demonstrate, based on hydrologic calculations, that the proposed Project's on-site storm conveyance and detention and infiltration facilities are designed in accordance with the requirement of the Los Angeles County Department of Public Works Hydrology Manual.
- v. **Mitigation Measure 4.8.5: Floodplain Report.** During final design, the Project engineer shall prepare and submit a floodplain/hydrology report to the City Development Services Director, or designee, to address any potential impacts to the floodplain and, if required, reduce those impacts. The report shall comply with City and Federal Emergency Management Agency (FEMA) regulations and shall not increase the base flood elevation by more than 1 foot. Detailed analysis shall be conducted to ensure that the Project design specifically addresses floodplain issues so that the proposed Project complies with local and FEMA regulations on floodplains.

g. Noise

- i. **Mitigation Measure 4.10.1:** Prior to issuance of the occupancy permit, the City of Long Beach's (City) Development Services Director, or designee, shall verify that a sound engineer has designed the permanent and temporary sound systems such that the City's exterior noise standards (daytime exterior noise level of 50 dBA L₅₀) are not exceeded at the surrounding sensitive land uses. Measures capable of reducing the noise levels include, but are not limited to:

- Reducing the source levels;
 - Reducing the speaker elevations;
 - Directing the speakers away from adjacent noise-sensitive land uses, and;
 - Using highly directional speakers.
- ii. **Mitigation Measure 4.10.2:** Prior to issuance of demolition or grading permits, the City of Long Beach's (City) Development Services Director, or designee, shall verify that construction and grading plans include the following conditions to reduce potential construction noise impacts on nearby sensitive receptors:
- During all site excavation and grading, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
 - The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site;
 - The construction contractor shall locate equipment staging to create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction;
 - The construction contractor shall ensure that engine idling from construction equipment (i.e., bulldozers and haul trucks) is limited to a maximum of 5 minutes at any given time; and
 - Construction, drilling, repair, remodeling, alteration, or demolition work shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday. In accordance with City standards, no construction activities are permitted outside of these hours.
- iii. **Mitigation Measure 4.10.3:** Prior to issuance of a grading permit, the City of Long Beach Tidelands Capital Improvement Division shall hold a community preconstruction meeting in concert with the construction contractor to provide information to the public regarding the construction schedule. The construction schedule information shall include the duration of each construction activity and the specific location, days, frequency, and duration of the pile driving that will occur during each phase of the Project construction. Public notification of this meeting shall be undertaken in the same manner as the Notice of Availability mailings for this Draft Environmental Impact Report.
- h. **Transportation and Traffic**
- i. **Mitigation Measure 4.12.1: Event Traffic Management Plan.** In the event that a large special event (defined as more than 450

spectators) is held at Belmont Pool, the City of Long Beach (City Parks and Recreation Director, or designee, shall develop an Event Traffic Management Plan for review and approval by the City Traffic Engineer. The plan shall be designed by a registered Traffic Engineer and shall address potential impacts to traffic circulation and the steps necessary to minimize potential impacts (e.g., active traffic management and/or off-site parking and shuttles) during the large special event.

- ii. **Mitigation Measure 4.12.2: Construction Traffic Management Plan.** Prior to the issuance of any demolition permits, the City Parks and Recreation Director, or designee, shall develop a Construction Traffic Management Plan for review and approval by the City Traffic Engineer. The plan shall be designed by a registered Traffic Engineer and shall address traffic control for any street closure, detour, or other disruption to traffic circulation and public transit routes and shall ensure that emergency vehicle access is maintained. The plan shall identify the routes that construction vehicles shall use to access the site, the hours of construction traffic, traffic controls and detours, and off-site staging areas. The plan shall also require that a minimum of one travel lane in each direction on Ocean Boulevard be kept open during construction activities. Access to Belmont Veterans' Memorial Pier, the Shoreline Beach Bike Path, and the beach shall be maintained at all times. The Construction Traffic Management Plan shall also require that access to the pier, the bike path, and the beach be kept open during construction activities. The plan shall also require the City to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt.

Standard Conditions – Plans, Permits, and Construction:

19. Prior to the issuance of a 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.
20. 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.
21. 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.

22. 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 or beach. Furthermore, these devices shall be screened by landscaping or another screening method approved by the Director of Development Services.
23. 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, Planning Commission, Parks and Recreation Commission, or Marine Advisory Commission, respectively.
24. 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 a building permit.
25. Upon plan approval and prior to issuance of a building permit, the applicant shall submit a reduced-size set of final construction plans for the project file.
26. 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.
27. 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.
28. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
29. 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.
30. Prior to the issuance of a 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.

Conditions of Approval

4200 E. Ocean Blvd. (Belmont Beach and Aquatic Center)

Application No. 1910-05

(GPA19-001, ZCA19-010, ZCHG19-005, SPR19-027, LCPA19-005, LCDP19-023, EIRA-03-19)

December 19, 2019 (Planning Commission)

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31. 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.
32. 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.
33. 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.
34. 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.
35. 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.
36. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
37. Energy conserving equipment, lighting, and construction features shall be utilized in this project to the satisfaction of the Building Official.
38. 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.

39. 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:

40. 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).
41. 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.
42. This land use is required to comply with these conditions of approval as long as the use is on the subject site. As such, the property owner shall allow periodic re-inspections, at the discretion of city officials, to verify compliance.
43. 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.
44. 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.
45. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.

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46. 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.
47. The operator of the approved use shall prevent loitering in all public areas around the facility. The operator must clean the parking, plaza, 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 or Director of Parks, Recreation and Marine may require additional preventative measures, such as but not limited to, additional lighting or private security guards.
48. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
49. Any graffiti found on site must be removed within 24 hours of its appearance.
50. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
51. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
52. 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.