

September 19, 2023

**H-17**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive supporting documentation into the record, conclude the public hearing and consider third-party appeals from Lozeau Drury LLP, on behalf of Supporters Alliance for Environmental Responsibility (SAFER) (APL23-011); Elizabeth Lambe, on behalf of the Los Cerritos Wetlands Land Trust (APL23-012); and Ann Cantrell and Anna Christensen, on behalf of Sierra Club Los Cerritos Wetlands Task Force (APL23-014);

Adopt a Resolution determining that the project is consistent with and within the scope of the project previously analyzed as part of the Southeast Area Specific Plan Program Environmental Impact report (State Clearinghouse No. 2015101075) (PECC 03-23) and subject to the Southeast Area Specific Plan Mitigation Monitoring and Reporting Program and making certain findings and determinations related thereto and warrants no further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15168, 15162, and 15183;

Deny the appeals and uphold the decision of the Planning Commission to approve the Site Plan Review (SPR22-082), and adopt the proposed findings and conditions of approval related thereto, for a project within the city jurisdiction of the Coastal Zone consisting of the demolition of two existing office buildings (6615 and 6695 East Pacific Coast Highway) on the site, and the construction of a new six-story mixed-use project consisting of 390 residential dwelling units (seventeen (17) of which are affordable [very low income]), 5,351 square feet of commercial/retail space in a building with 576 vehicular parking spaces in an above-grade parking structure, 196 bicycle parking spaces, and 45,141 square feet of public and private open space area within the Mixed-Use Community Core (MU-CC) designation of the Southeast Area Specific Plan (SP-2) located at 6615, 6621, and 6695 East Pacific Coast Highway;

Deny the appeals and uphold the decision of the Planning Commission to approve the Lot Line Adjustment (LLA22-002), and adopt the proposed findings and conditions of approval related thereto, to reposition the eastern property line between two parcels (APNs: 7237-020-050 and 7237-020-041);

Deny the appeals and uphold the decision of the Planning Commission to approve a request to merge (LMG22-012) two (2) lots (APNs: 7237-020-050 and 7237-020-040) into a single 163,249-square-foot (3.75-acre) lot, and adopt the proposed findings and conditions of approval related thereto; and,

Deny the appeals and uphold the decision of the Planning Commission to approve a Local Coastal Development Permit (LCDP22-049) for all discretionary and subdivision actions required for the proposed project and adopt the proposed findings and conditions of approval related thereto. (District 3)

## DISCUSSION

On July 20, 2023, the Planning Commission held a duly noticed public hearing and acted to approve the requested entitlement for a proposed 390-unit development including 17 affordable housing units (very low-income level) located at 6615, 6621, and 6695 E. Pacific Coast Highway in the Southeast Area Specific Plan (SEASP) (SP-2) Mixed Use Community Commercial (MU-CC) Zoning District (Attachment A). Public comments were provided at the hearing. The Planning Commission found the project to be consistent with and within the scope of the previously certified SEASP Program Environmental Impact Report (PEIR) and approved the Compliance Checklist (PECC 03-23) and also approved the Site Plan Review (SPR), Lot Line Adjustment (LLA), Lot Merger (LM), and Local Coastal Development Permit (LCDP) applications. The Planning Commission approved the project with conditions of approval. Before the conclusion of the 10-day appeal period, three third-party appeals were filed by (1) Lozeau Drury LLP representing Supporters Alliance for Environmental Responsibility (SAFER), (2) Elizabeth Lambe, Executive Director, representing the Los Cerritos Wetlands Land Trust (LCWLT), and (3) Ann Cantrell and Anna Christensen representing the Sierra Club Los Cerritos Wetlands Task Force.

### *Project Site*

The project site is an L-shaped site comprised of three parcels located at the northeast corner of the intersection of Pacific Coast Highway and Studebaker Road in the southeast portion of the City of Long Beach (City) (Attachment B). Pacific Coast Highway borders the southwestern boundary of the project site and Studebaker Road borders the southeast boundary of the project site. The 110-foot-wide section of Studebaker Road abutting the southern boundary of the project site is dedicated as public right-of-way, but portions of the ultimate public street are unbuilt to its full capacity. The project site and surrounding properties and roadways are within the SEASP Area, a specific plan that was developed through a multi-year community engagement process. The SEASP, approved by the City Council in 2017 and the California Coastal Commission (Coastal Commission) in 2021, is located in the southeast area of the City and encompasses 1,472 acres of land.

The project site is located within the MU-CC area of SEASP. As noted within the SEASP Ordinance, the MU-CC is “envisioned as the primary activity center in the SEASP area and provides for a mix of uses including residential, regional retail, overnight visitor-serving accommodations, and office uses.”

The project site, addressed as 6615, 6621, and 6695 E. Pacific Coast Highway, comprises three parcels developed with three, two-story buildings and surface parking (Attachment C). The “development site” consists of two parcels occupied by two office buildings addressed as 6615 and 6695 E. Pacific Coast Highway. There would be no redevelopment proposed at the

rear office building at 6621 E. Pacific Coast Highway, therefore this parcel is not referred to as part of the development site for new construction.

On the development site, the two office buildings located at 6615 and 6695 E. Pacific Coast Highway were constructed in 1979 and 1983 and are approximately 45,955 and 15,538 square feet, respectively. The existing 45,955-square-foot two-story office building and surface parking lot at 6621 E. Pacific Coast Highway was constructed in 1980 and would remain upon completion of the project. Vehicular access to the site is maintained from Studebaker Road and through access agreements from the two parcels (Marketplace Shopping Center and City-owned parcel) that abut the site to the north. The project site is subject to a Declaration of Covenants, Conditions and Restrictions (CC&Rs) that addresses parking and access requirements of the parcels owned by the Marketplace Shopping Center, Marketplace Office Park (project Applicant), and the City.

All parcels included in the project are located within the SEASP MU-CC Zoning District and General Plan Land Use District (LUD) No. 7, Mixed Use District, in the City's 1989 General Plan. The General Plan Land Use Element was updated in 2019 and has not yet been certified as part of the City's Local Coastal Program. Therefore, the 1989 General Plan Land Use Element (1989) designation LUD No. 7 remains applicable to the project site. As set forth in the General Plan, land uses intended for LUD No. 7 include employment centers, such as retail uses, offices, and medical facilities; higher density residential; visitor-serving facilities; personal and professional services; and recreational facilities. The project site includes three parcels. The application includes a lot line adjustment between the easternmost lots [Assessor Parcel Numbers (APNs): 7237-020-050 and 7237-020-041] and a lot merger of two westernmost lots (APNs: 7237-020-050 and 7237-020-040) to result in a single 163,249-square-foot (3.75-acre) lot.

The Marketplace Shopping Center and a City-owned parcel border the northern boundaries of the development site. The Los Cerritos Wetlands are located east of the office building at 6621 E. Pacific Coast Highway. The Pumpkin Patch site, portions of the Los Cerritos Wetlands, and the San Gabriel River are located southeast across Studebaker Road public right-of-way. The range of uses in the project vicinity are detailed in Table 1: Adjacent Uses and Entitlements. The surrounding parcels in the vicinity of the project site have completed entitlement approvals or are in the entitlement process concurrent with this application. Therefore, Table 1 also includes a brief note of the approved or pending entitlements that are reasonably foreseeable to the project vicinity. Where undeveloped parcels have no assigned address, APNs have been provided to identify the adjacent parcels.

Table 1: Adjacent Uses and Entitlements

Direction	Address or Assessor's Parcel Number	Zoning District	Existing Land Use	Entitlements Approved or In Process
Northwest	6411 E Pacific Coast Hwy (APN: 7237-020-051)	SP-2-MU-CC	Commercial/Retail Center	Approved/Pending Design review for façade remodel of specific buildings –

Table 1: Adjacent Uses and Entitlements

Direction	Address or Assessor's Parcel Number	Zoning District	Existing Land Use	Entitlements Approved or In Process
Northeast	APN: 7237-020-904	SP-2-MU-CC/ SP-2-CHWR	Surface Parking/ Oil Extraction	Approved - Los Cerritos Wetlands Oil Consolidation and Restoration Project
East	APN: 7237-020-903	SP-2-CHWR	Los Cerritos Wetlands	Approved - Los Cerritos Wetlands Oil Consolidation and Restoration Project
Southeast	6701 E Pacific Coast Hwy (APN: 7237-020-043)	SP-2-IND	Pumpkin Patch	Approved - Los Cerritos Wetlands Oil Consolidation and Restoration Project
Southeast	APNs: 7237-020-044 and 7237-020-045	SP-2-CHWR	Los Cerritos Wetlands	Approved - Los Cerritos Wetlands Oil Consolidation and Restoration Project
Southwest	6500 E Pacific Coast Hwy	SP-2-MU-CC	Commercial/Retail Center	Pending – Mixed-Use Project
South	6700 E Pacific Coast Hwy	SP-2-MU-CC	Office Building	Pending (Locally approved by City Council on July 18, 2023, subject to appeal) – Mixed-Use Project

SP-2-MU-CC = Southeast Area Specific Plan Mixed-Use Community Core

SP-2-CHWR = Southeast Area Specific Plan Coastal Habitat, Wetlands, and Recreation

SP-2-IND = Southeast Area Specific Plan Industrial

*Proposed Project*

The proposed project required approval of a SPR entitlement by the Planning Commission for project design of a building 50,000 square feet or greater in size or with over 50 units proposed. The site plan review process is intended to review projects for their consistency with community goals which are, among others, to ensure that the highest quality of land planning and design are incorporated into development projects, to ensure that new projects are compatible with existing neighborhoods in terms of scale, style, and construction materials, and to ensure the maintenance, restoration, enhancement, and protection of the environment. The proposed mixed use (residential and commercial/retail) is a by-right use within the SEASP, MU-CC Zoning District.

The proposed project would create one of the first mixed use residential projects within the SEASP area. The project will replace two existing two-story office buildings (6615 E. Pacific Coast Highway and 6695 E. Pacific Coast Highway) with a new six-story mixed use building and associated parking structure (Attachment D). The project consists of 390 residential dwelling units 17 of which are affordable at the very low-income level), 5,351 square feet of commercial/retail space in a building with 576 vehicular parking spaces in an above-grade parking structure, 196 bicycle parking spaces, and 45,141 square feet of public and private open space area.

### **Density Bonus, Affordable Units, Concessions/Waivers**

The portion of the project relating to density bonus and incentives, or concessions are ministerial acts. The Applicant has requested that the City approve the project in accordance with the State's Density Bonus Law (Government Code Section 65915 through 65918). In addition to density bonuses, applicants who provide the required amount of affordable housing units qualify for various exceptions from zoning standards (known as "incentives and concessions" or "waivers") and for reduced parking standards. The Applicant is proposing 17 very-low-income affordable units in the project, which qualifies the project for a 20 percent increase in the base density established for the site. The 17 affordable units will be provided at the very-low-income level, restricted as affordable through a covenant for a minimum of 55 years. The density bonus is calculated using the base density of 325 units pursuant to Assembly Bill 2334 (AB 2334). Pursuant to AB 2334, should an applicant provide five percent of the base units for very low income (families/individuals), the project receives a 20 percent increase in their base density of 325 units, which is 51 units ( $325 \times 20 \text{ percent} = 65$ ). Based upon the calculations, the Applicant could build up to a maximum of 390 dwelling units ( $325 + 65 = 390$ ), which is consistent with the proposed project.

By providing affordable units at the very low-income level, the Applicant is entitled to concessions, incentives and/or waivers. The Applicant is requesting one incentive and four waivers (Attachment E). The incentive requested by the Applicant relates to building massing and would allow the proposed project to include one building in lieu of multiple buildings encouraged by the SEASP. The requested four waivers relating to the requested massing incentive include: 1) building height (maximum height of 91-feet 8½-inches to allow for the sixth floor and rooftop amenities); 2) building stories (exceed the building height requirements along Pacific Coast Highway [limited to five stories] and Shopkeeper Road [limited to three (3) stories for the first 30 feet]); 3) Building Story Requirements along Shopkeeper Road Fronting Wetlands (allow six stories within the 30 feet adjacent to Shopkeeper Road fronting the wetlands [whereas the SEASP limits height to three stories at the first 30 feet]); and 4) variety of heights (allow the project to include buildings at maximum height). The City's SPR Committee has granted the requested deviations from the maximum allowable height (80 feet) and number/configuration of stories in order to provide the additional number of units including the 17 affordable units.

With additional floor area required by the additional number of units (density bonus and affordable units), an additional story and associated rooftop height is necessary to

accommodate the units. SEASP allows for a maximum building height of five-stories and the Applicant is requesting one additional story for a total of six stories (91-feet 8½-inches) which will accommodate the entire floor area and associated rooftop areas required for access to the provided open space.

The basis for denial of a concession, incentive and/or waivers is established by the State Density Bonus Law, and City staff did not find that there is a basis for contesting any of the waivers or incentive requested by the Applicant. The concession and waivers may be denied based on: 1) making a finding that it does not result in “identifiable, and actual cost reductions to provide for affordable housing”; or 2) that any of the three findings can be made: a) it is not required for affordability; b) there is an adverse impact on health, safety, physical environment, or historic resources with no feasible mitigation; or c) that is contrary to State or Federal law. In order to provide the earned bonus units under state law, additional building height and stories, allowance of greater massing and a single building is required for the additional residential units. City staff has determined that none of the requisite findings to deny the requested incentive and waivers exist here. The associated waivers are also requested in response to site constraints related to the L-shaped configuration and soil conditions that preclude the ability to provide subterranean levels. Additional building height would continue to comply with the required exterior bird-safe treatments, lighting standards, and landscaping requirements. Furthermore, due to the L-shape configuration, the closest building areas are over 170 feet from the nearest potential wetland areas and the existing building at 6621 E. Pacific Coast Highway would remain as an intervening land use. Without the approval of the requested waiver and incentives, the project, the project’s proposal of affordable units and earned density bonus would be physically precluded.

The State Density Bonus Law also does not override the Local Coastal Program (LCP) or Coastal Act and must be implemented in a way that does not conflict with the Coastal Act. The portion of the project related to density bonus and incentives, or concessions are ministerial acts. Consistency with the LCP will be discussed in greater detail below. Per State Law, since this project is providing five percent, or 17 affordable units, the project is eligible for reduced parking under Senate Bill 1818 (SB 1818). Pursuant to SB 1818 (residential uses) and SEASP (guest and commercial uses), the project provides 456 parking spaces for the residential uses, 98 parking spaces for residential guest uses, and 22 spaces required for the commercial component of the project for a total of 576 spaces overall. The project Applicant is proposing 576 spaces which meets the requirements under the State Density Bonus Law. All parking shows in a combination of standard, compact, electric vehicle, and Americans with Disabilities Act accessible spaces and will all to be contained within an above-grade parking structure. A parking utilization study was prepared to demonstrate that the reduced parking rate provided in SB 1818 would address the anticipated demand for off-street parking based on traffic engineering principles (Attachment F). The parking utilization study determined that the project would have a demand for 518 parking spaces, and therefore the provision of 576 parking spaces would meet the needed demand from the proposed project.

### **Architecture and Building Function**

The project was reviewed by the SPR Committee, which found that the proposed mixed-use building along with the incentives/waivers from building height, stories, and massing for the

accommodation of affordable units is consistent with the General Plan land use designation and is appropriate based on the building form, intended use and the relationship to the surrounding uses (Attachment G). The Applicant has provided a varying setback along Pacific Coast Highway, which exceeds the maximum 10-feet required by the SEASP MU-CC designation. The intent of this additional setback is to provide for additional public open space that includes seating and walkways adjacent to the public right-of-way. In addition, this greater setback allows for more gateway treatments at the ground level that encourage public access at the commercial/retail elements at the corner of Studebaker Road and Pacific Coast Highway. The SPR Committee did not objection to this request and determined instead that it helps ensure provided public open space is directly accessible and perceptible along public right-of-way areas.

The building consists primarily of smooth stucco in white, grey, and black tones, metal cladding, wood-like fiber cement siding, black metal awnings, black metal railing, glass railings, recessed vinyl windows, and a glass storefront system. The rear facing elevation of the parking structure would feature perforated metal screens arranged at the parking garage elevation. As conditioned, the parking garage openings shall be filled with decorative perforated metal panels, or equivalent decorative treatment to provide additional visual interest at this elevation. The massing of the building at the gateway area (corner of Studebaker Road and Pacific Coast Highway) is two-stories in height and pulled back beyond the required setbacks and step backs to provide greater at-grade public areas at the ground level commercial component. The Project developer is seeking Leadership in Energy and Environmental Design Silver certification in compliance with SEASP requirements.

The proposed new high-quality rental housing opportunity which has been proposed through the implementation of objective design standards, and architectural and green building standards, is in alignment with the Urban Design Element of the General Plan.

Due to the L-shaped site configuration, the creation of a grid network and collection of buildings, as envisioned by SEASP, was not feasible. Therefore, the residential units are arranged to surround ground-level courtyard areas, some of which are publicly accessible, to appear as a collection of five buildings. The design's intent is directly in response to the site conditions. The project utilizes at-grade open space courtyards, rather than podium-level open space, to ensure the visibility and access of public areas and to meet the intent of the design standards required in SEASP. In addition to the courtyards, a 9,724-sf view corridor is proposed along the north portion of the site, with emergency and loading only access along Pacific Coast Highway to meet the requirement for unobstructed views to the wetlands.

The size and distribution of the residential units are provided in Table 2. The units designated as affordable are located throughout the project and reflect the range of units available. The affordable units are comprised of four studio units; eight one-bedroom units; four two-bedroom units; and one three-bedroom unit. This unit mix provides a variety of housing types and sizes which is compliant with General Plan Housing Element Policy 1.3 which seeks to accommodate a range of unit sizes and the housing needs of all socioeconomic segments of the community, including large families.

Table 2: Unit Breakdown

<b>Unit Type</b>	<b>Unit Size Range (square feet [sf])</b>	<b>Percentage of Development Units</b>	<b>Total</b>
Urban 1 (Studio)	635 sf	17%	66
1 Bedroom	677 sf – 842 sf	49%	192
2 Bedroom	953 sf – 1,191 sf	32%	123
3 Bedroom	1,286 sf	2%	9
<b>TOTAL</b>	-	<b>100%</b>	<b>390</b>

**Open Space**

SEASP (Table 6-9) requires a minimum of 20 percent of the project area to be open space. In this instance, the project area is defined as the site area, which is 163,224 square feet. Twenty percent of the overall site area is 32,645 square feet. Of this total, 75 percent shall be public open space (minimum 24,484 square feet). The proposed project includes 24,507 square feet of public open space in the provided view corridor, Courtyard 1, Courtyard 3, and the Public Plaza at the gateway. As a condition of approval, wayfinding signage will be required to be installed in public areas to ensure visibility and perception of public access. Private open space exclusive to the residents of the development totals 20,634 square feet of common outdoor space (Courtyard 2, Courtyard 4, and Pool Deck) and 21,997 square feet of private balconies. There are active common outdoor open space areas which include pool and spa areas, BBQ areas, and fire pit/place areas with tables and seating. The passive common outdoor open space areas have lush landscaping with trees, ample tables and seating, and water features.

In addition to common (public and private) outdoor open space, the interior of the building would include a lobby, mail lounge, club room, leasing area, and fitness and indoor amenity space. All residents of the project, including those occupying the affordable units, will have access to all of the common area amenities throughout the project. The public has access to those public areas along the view corridor, Pacific Coast Highway, and Studebaker Road.

**Vehicular Access and Parking**

Vehicular ingress and egress to the parking area is provided by one driveway approach from Studebaker Road. Five parking spaces are provided as surface parking spaces behind the retail area. The remainder of the residential and commercial parking is provided in an above-grade parking structure. As discussed above, only 456 parking stalls are required for the residential component of the project pursuant to SB 1818. Per SEASP development standards, 98 residential guest spaces and only 22 parking spaces are required for the commercial component. The total required parking spaces is 576 parking stalls.

The project would provide 576 parking stalls as required and would comply with the SEASP standards for guest parking and commercial uses. The parking utilization study for the project



demonstrates that the provided vehicle parking spaces would meet the demand of the development.

The project would provide 196 bicycle parking spaces in secured areas of the parking garage at each level. Bicyclists would have access to the adjacent elevator to access the parking structure exit onto Studebaker Road, which will include bicycle lane connections as part of final design. Bike racks are provided at the exterior of the development for patrons visiting the commercial/retail component.

### **Public Right-of-Way**

The proposed project includes improvements to Pacific Coast Highway along the west side of the development site and Studebaker Road (public roadway) along the southern side of the development site. On Pacific Coast Highway, the proposed project would construct a curb between the existing bicycle lane and the vehicle travel lane and construct a new bus turn out near the current bus stop. The cross-section of Pacific Coast Highway, including the pedestrian amenities of sidewalk, parkway areas, and a 10-foot public access easement would ensure consistency with the intent of SEASP. All improvements within the Pacific Coast Highway public right-of-way shall be completed in conformance and consultation with the California Department of Transportation (CalTrans) given that this roadway falls under CalTrans jurisdiction.

Additionally, the proposed project would construct roadway improvements within the Studebaker Road existing public right-of-way to include a center median, sidewalk, vehicle lanes, and bicycle lane. Studebaker Roadway improvements would provide access to the existing office building on the parcel to the east of the project site and the existing parking lot to the northeast of the project site. Vehicular access would continue to be maintained from the Studebaker Road right-of-way to the rear office building at 6621 E. Pacific Coast Highway and ultimately to the City-owned parcel (APN 7237-020-041). A roundabout feature would be installed at the terminus of Studebaker Road within the public right-of-way limits. An ingress-egress driveway would extend north from the roundabout to provide access to a two-way drive aisle that would extend onto parcel APN 7237-020-041, north of the proposed building.

The proposed project would be sited and designed to allow for the completion of Shopkeeper Road at the rear of the property should this be undertaken in the future, in conformance with the SEASP policies. As mobility improvements and needs continue to evolve, any completion of Shopkeeper Road would be evaluated in the future in connection with other projects however, this proposed project is conditioned to create a physical roadway configuration that would not preclude that future completion.

### **Housing Element Site Inventory**

One of the required findings relates to consistency with the City's General Plan. The smaller parcel (APN: 7237-020-040) of the subject development site is on the site inventory in the City's 6<sup>th</sup> Cycle Housing Element of the General Plan, certified by the State of California's Department of Housing and Community Development in April 2022. Pursuant to Government Code Section

65863, cities must maintain, at all times during the planning period, adequate sites to meet their unmet share of the Regional Housing Needs Assessment (RHNA). Under this law, cities generally may not take any action that would allow or cause the sites identified in its Site Inventory to be insufficient to meet its remaining unmet share of the City's 2021-2029 RHNA allocation for lower and moderate-income households. Therefore, because the project parcel is on the site inventory, based on this the above-cited government code section known as "housing element no-net loss," the City is required to complete an analysis to ensure that future development of the proposed project site does not preclude the City's ability to meet its RHNA obligations.

Sites on the site inventory were analyzed and selected to demonstrate that the City has land use and zoning capacity to facilitate the City's 2021-2029 RHNA figure of 26,502 housing units in accordance with Housing State Law. Sites were selected for the inventory based on a set of objective criteria for analyzing the likelihood of housing being developed on the site, including based on lot size, improvement-to-land ratio (with a higher ratio indicating lower feasibility for dwelling unit potential), and whether the underlying zoning or General Plan PlaceType designation allows residential uses. In this case, the property, zoned SEASP MU-CC, meets the criteria and was included in the Housing Element site inventory. The subject site, which has existing office buildings, was projected through the site inventory as likely to facilitate a total of five potential moderate-income units and 21 potential market rate units.

Even though the proposed project is a residential development project that would facilitate 352 more market rate units and 17 more very-low-income units than projected in the site inventory, the proposed project does not include five moderate-income units as projected in the site inventory. Therefore, the City must demonstrate that its plans, policies, and zoning can facilitate the production of the 26,502-unit RHNA allocation. Although the site inventory is the most well-known method for meeting this obligation, the City may meet its RHNA obligation through a combination of: (1) the projected number of Accessory Dwelling Units (ADUs) anticipated to be permitted based on recent trends; (2) documenting approved and proposed residential development projects in the pipeline; and (3) through an inventory of sites with demonstrated land use and zoning capacity to accommodate the City's RHNA allocation.

### ADU Production

As a result of substantial relaxation of development standards and procedures by the State to facilitate ADU construction, since 2018 the City has seen significant increases in applications and permits for ADUs across Long Beach. Production of ADUs has more than quadrupled between 2018 and 2020, as shown below:

- 2018: 59 units
- 2019: 151 units
- 2020: 268 units
- 2021: 445 units
- 2022: 508 units

The three-year period of 2018, 2019 and 2020 yielded an annual average of 159 units. To be conservative and based on the observed development trends in the City, the 6<sup>th</sup> Cycle Housing Element assumed an annual average of 159 ADUs between 2021 and 2029, for a total of 1,275 units, representing nearly five percent (4.8 percent) of the City's 6<sup>th</sup> Cycle RHNA. This is based on the average number of ADUs permitted between 2018-2020 (Adopted 2021-2029 Housing Element Technical Appendices, p. C-2). Around two-thirds of those units were designated in the affordable categories of the RHNA based on guidance from the Southern California Association of Governments (SCAG).

Given the progressively upward trend and an emerging trend of Junior ADUs, which are attached accessory units that occupy the existing square footage of a housing unit and therefore, are typically smaller in size, less expensive to construct, and a more affordable housing option, the City anticipates that the construction of ADUs will continue to increase. ADU production in 2021 totaled 445 units and in 2022, 508 ADUs were permitted. Based on the more recent data, using a five-year average (2018-2022), the City now estimates 2,290 ADUs will be developed during the Housing Element period, which is a net increase of 1,015 units. ADUs for the City's RHNA were allocated within the affordable categories, which includes moderate-income units, and the revised projection represents additional capacity for additional units in the "moderate-income" RHNA category. Furthermore, ADUs are more likely to be naturally affordable and have comprised a higher share of the housing production over time. This again is a conservative approach given the upward trend over time. This increase alone more than accounts for the lost potential of five moderate-income units for the proposed project.

#### Policies and Programs for Moderate Income Units

Like many cities throughout the state, Long Beach has struggled to produce moderate income units. As part of the Housing Element, the City has committed to a multitude of strategies for increasing production of moderate-income units. One of the primary mechanisms for incentivizing the development of moderate-income units is through the City's Enhance Density Bonus (EDB) Program, which was adopted in 2021 to provide incentives and bonuses that go above and beyond those provided under state law in order to garner a larger number of affordable units than would otherwise be built. The EDB is designed with the greatest incentives for moderate income units because the City performed the poorest in providing moderate units in the 5<sup>th</sup> Cycle Housing Element of any category. In fact, in developing the site inventory, City staff assumed that the subject site would produce moderate income units in exchange for incentives provided under EDB. Unfortunately, the EDB has not yet been certified in the Coastal Zone (EDB was approved by the Coastal Commission in June 2023 and is coming back to the City Council for consideration and action on September 19, 2023 and then must go back to the Coastal Commission thereafter).

Therefore, this project was not able to take advantage of the EDB program. Other strategies in the Housing Element for providing moderate income units include the inclusionary housing requirement for moderate income units in ownership projects (Housing Element (HE) Policy 1-11); increasing the overall housing supply (Policy 1-1); providing for a variety of housing types in low density zones (i.e. duplexes, triplexes and ADUs, see Housing Element Program 2-4);

facilitating “naturally occurring” affordable housing typologies like bungalows and courtyards (HE Action 1.1.2); and providing assistance to first time homeowners including through downpayment assistance (HE Program 3.3). Some of the zoning strategies, such as the EDB Inclusionary Programs, are implemented, while others are underway through the Citywide rezoning efforts. The City’s new First-Time Homebuyer Assistance Program launched in Spring 2023 through use of funding via the Consolidated Plan.

In summary, while the project does not provide the five moderate-income units allocated for the site as part of the original site inventory for the 2021-2029 Housing Element, the project provides more housing units overall and provides a greater number of units (17) at a deeper affordability level than what was projected as part of the site inventory, serving to offset some of the deficit that would be created by the approval of other projects in the City. In compliance with its obligations under state law, the City has identified that it has the additional capacity, capability, and feasibility to meet its RHNA obligation, based on the net increase in ADU production and through policies and programs to support the development of moderate-income units.

*Lot Line Adjustment (LLA)*

According to the record of survey, there are three existing legal parcels on the project site. Under existing conditions, the easternmost property line for APN: 7237-020-050 (6615 E. Pacific Coast Highway) shares a common property line with APN: 7237-020-041 (6621 E. Pacific Coast Highway). This shared property line bisects the surface parking lot that is shared between all three parcels and maintains access rights via the CC&Rs in place for the Marketplace Shopping Center, Marketplace Office Park (project Applicant), and City-owned parcel. The easternmost shared property line between APNs 7237-020-050 and 7237-020-041 would be adjusted eastward and would remain within the existing surface parking lot (Attachment H). The adjusted property line would remain located between the buildings at 6695 E. Pacific Coast Highway and 6621 E. Pacific Coast Highway.

Prior to the lot line adjustment there are three legal parcels (two parcels with frontage along E. Pacific Coast Highway and one parcel with frontage along the unbuilt portion of Shopkeeper Road), and there would continue to be three legal parcels after the lot line is adjusted. The easternmost parcel to be adjusted (APN: 7237-020-041 [6621 E. Pacific Coast Highway]) maintains a front lot line along Shopkeeper Road pursuant to Section 21.15.1150 (Front Lot Line) of the Long Beach Municipal Code (LBMC), due to the dimension of the lot line along Shopkeeper Road in comparison to the lot line dimension along the unbuilt section of Studebaker Road that forms the southern lot line.

The adjustment would increase the size of APN: 7237-020-050 (6615 E. Pacific Coast Highway) to 125,221 square feet in compliance with SEASP. The resulting lot size portion of APN: 7237-020-041 (6621 E. Pacific Coast Highway) would be 68,691 square feet and there would be no change to the width of the remaining portion of the parcel as the adjustment would slightly reduce the existing depth of the lot. Furthermore, as conditioned, the remaining office building at APN: 7237-020-041 (6621 E. Pacific Coast Highway) would be required to maintain vehicular parking onsite and on the shared City-parcel (APN: 7237-020-904) through an

amendment to the CC&Rs in place through agreements by all parties. Two rows of surface parking lot areas would remain between the adjusted lot line, which would ensure the maintenance of adequate setbacks pursuant to SEASP. There would be no reduction in onsite open space for the office building to remain at APN: 7237-020-041 (6621 E. Pacific Coast Highway). Surface drainage and all applicable utility easements would be maintained with the adjustment. As such, all required findings to approve the lot line adjustment can be made in the affirmative.

*Lot Merger (LM)*

As previously noted, there are three existing legal parcels on the project site. The development site (6615 and 6695 E. Pacific Coast Highway) would be the location of the requested lot merger. The lot merger would merge the adjusted APN: 7237-020-050 (6615 E. Pacific Coast Highway) and APN: 7237-020-040 (6695 E. Pacific Coast Highway) to result in one 163,249-square-foot (3.75-acre) lot. There would be one legal parcel after the lots are merged. The APN: 7237-020-041 (6621 E. Pacific Coast Highway) would remain a separate parcel.

*Local Coastal Development Permit (LCDP)*

In accordance with the Zoning Ordinance, a LCDP is required for applications that include a discretionary action or subdivision within the Coastal Zone. The purpose of the LCDP is to ensure that all public and private development in the Long Beach Coastal Zone is developed consistent with the City's certified LCP.

The LCP identifies the project site within the SEASP area of the Coastal Zone. This sub-area where the project site is located encompasses the entire southeast corner of Long Beach. Although principally a residential community, it also contains wetlands, considerable commercial development and two very large electric generating plants. Some land in SEASP is used for oil production. When this resource is depleted, the land will be available for other uses.

The operation of the mixed-use building, including the public outdoor open space, is consistent with the applicable development standards contained in the SP-2-MU-CC Zoning District as applicable under State Density Bonus Law. This property is currently developed with two office buildings and surface parking areas which will be demolished to facilitate the mixed-use building. The other properties at the intersection of Pacific Coast Highway and Studebaker Road in this extreme southeast corner of the City are currently developed with commercial uses and retail shopping centers, consistent with the certified SEASP. The development site is located approximately 194 feet from the nearest wetlands associated with the Marketplace Marsh and the Los Cerritos Wetlands Complex.

The proposed mixed-use building includes an incentive and waivers from certain development standards as allowed under the State Density Bonus Law. The incorporation of affordable units is consistent with the certified LCP and Coastal Act, which encourages a mix of housing opportunities to meet the public access goals of the Coastal Act. Maximizing public access "for all the people," is part of the Environmental Justice policies adopted by the Coastal

Commission. Without the concessions for massing, height, and stories, the project would be developed with market rate units only, which would not help to fully realize the robust public access policies and broad concern for equitable access to the Coast by all. The project conditions of approval ensure that the affordable units are distributed throughout the various residential levels, including the upper floors, and shall be generally reflective of the mix of unit sizes and number of bedrooms in the overall project. The SEASP area is designated as a high resource area under state law and as reflected in the City's Housing Element; therefore. The development of affordable units within SEASP helps meet the goals not only of the Coastal Act but also of the City's Housing Element Goal 6 of ensuring Fair and Equal Housing for Opportunity including in high resource areas where there has historically been a lack of affordable housing. The specific concession/waivers requested to support the project are not incongruent with the certified LCP and Coastal Act. The increased height by one-story to six-stories does not obstruct an established view corridor. Furthermore, this concession in height is not unlike the waiver process allowed under the SEASP for additional height granted to low-cost overnight visitor-serving accommodations. The incentives/waivers include increased height and parking reduction to support the additional density for the affordable dwelling units. A parking utilization study was prepared to demonstrate that the reduced parking rate provided in SB 1818 under the government code would address the anticipated demand for off-street parking based on traffic engineering principles. Therefore, the parking provided would be sufficient for the demand of the development. Furthermore, increased density is known to reduce both Vehicle Miles Traveled and energy consumed, consistent with Coastal Act and the City's climate goals and policies.

The project incorporates new coastal access and wetland view recovery opportunities on the site with the inclusion of a public paseo/view corridor, public seating areas along Pacific Coast Highway and Studebaker Road as well as direct, new, and improved access for pedestrians and bicyclists to the Pacific Coast Highway and Studebaker Road public right-of-way consistent with LCP and Coastal Act goals for the Coastal Zone. Those policies (5.1 through 5.32) contained in Chapter 5 of the SEASP Document, shall be included as project design features implemented through the project conditions of approval (Attachment I).

The project design includes bird-safe features, lighting, and a landscape palette all consistent with SEASP requirements. SEASP Chapter 8.3.14 includes requirements for glazing areas and building design to reduce the potential for bird strikes. The project has been designed to comply with SEASP requirements through the use of ultra-violet glass, glazing with less than 30 percent coefficient "reflectivity out", and use of recessed and projecting balconies to cast shadows. Furthermore, the glazing area on the building is limited to windows, storefronts, and railings, surrounded by opaque building materials and finishes. Landscaped areas next to the buildings, including courtyards, will be planted in accordance with the spacing requirements in SEASP. As required under SEASP, the proposed plant palette has been designed in conformance with Appendix D of SEASP. As conditioned, the final selection of landscaping shall be designed to maximize habitat potential when fully grown. With the incorporation of bird-safe treatments on glazing areas and the proper placement of landscaping, the project design would be in conformance with the SEASP requirements.

A Sea Level Rise Analysis (Moffatt & Nichol, 2023) was completed for the proposed project to assess the potential vulnerability of the project area under projected future sea level rise scenarios. Analyses first focus on the extent to which local coastal hazards change under future sea level rise scenarios. The overlap of projected future hazard zones and the project area is then used to identify potential future vulnerabilities to hazards related to sea level rise. Based on current topography data, the project site is not projected to experience any flood hazards with 4.3 ft sea level rise, the projection for the 55-year Project design life (time horizon of 2080).

Raising the elevation of select portions of development and paved areas as part of project design represents an effective solution to mitigate projected flood hazards. To address potential hazards beyond the 55-year project design life, adaptive measures such as fill have been used to inform the building design and increase elevation throughout the project area or in targeted areas along the eastern and northwestern project boundaries to reduce hazard exposure under the 6.7 ft sea level rise scenario. Floodproofing retrofits were also identified in the analysis to be applied to structures to address any projected increases in coastal hazards over time, as needed. Given current sea level rise projections, it is highly unlikely that any adaptation actions would become necessary until after 2080, allowing for significant time to monitor hazard conditions and plan for implementation accordingly. The proposed design and elevation of the new building have been designed in consideration of the sea level rise analysis and based on the analyses the project would be safe from risk for the design life of the project.

The SEASP planned for the establishment of an impact fee on new development for certain parcels with the purpose of funding the monitoring and maintenance of sensitive coastal resources, along with improved public access. On November 1, 2022, the City Council adopted an ordinance and resolution to establish a Sensitive Coastal Resource Impact Fee (Chapter 18.19 of the LBMC). As conditioned, the project would be required to pay the Sensitive Coastal Resource Impact Fee prior to the issuance of a Certificate of Occupancy for the project. The collected fees would cover a baseline study, monitoring, and maintenance of 4 acres of buffer and 4 acres of adjacent wetlands in the SEASP area.

### *Environmental Review*

This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA and the CEQA Guidelines, the project was analyzed as part of the previously certified SEASP PEIR (State Clearinghouse No.2015101075) (EIR 02-16) (Attachment J). The SEASP PEIR included technical reports that analyzed the buildout of the entire plan area, including analyses for Air Quality and Greenhouse Gas Modeling, Biological Resources Assessments and Wetland Delineation, Cultural Resource and Native American Correspondence, Geotechnical Conditions Memorandum, Phase 0 Site Assessment, Infrastructure Technical Report, Noise Modeling, Transportation Impact Analysis and Vehicle Miles Traveled (VMT) Memorandum, Public Services Correspondence, and Water Supply Assessment. During the course of the process of certifying the PEIR, the City of Long Beach recirculated Section 5.16, Transportation and Traffic, and Appendix J (Traffic Reports) in 2017 based on comments received during the public review period. The SEASP PEIR, including the recirculated traffic analysis, was completed in consultation with the public, Caltrans, Cities of Seal Beach and Westminster, and other interested parties.

Because of changes to state law the traffic analysis at the time of SEASP PEIR certification utilized Level of Service (LOS) as the metric of review with additional consideration of VMT. Mitigation measures were included in the SEASP PEIR to address traffic impacts where LOS would degrade to below the acceptable thresholds. While some mitigation measures were determined to be feasible, they were included in the Mitigation Monitoring and Reporting Program (MMRP). In some instances, mitigation was determined to be infeasible or would not fully mitigate impacts, and impacts were considered to be significant and unavoidable. Examples of infeasible mitigation included insufficient public right-of-way to accommodate the additional lanes due to existing development patterns and encroachment into the adjacent wetlands. The City Council adopted a Statement of Overriding Considerations (SOC) as part of certification of the SEASP PEIR, which included approval of the SEASP in light of the significant and avoidable impacts that would result from the buildout of the specific plan. Where mitigation remained feasible, the MMRP would be the mechanism to trigger compliance with those required actions.

In addition, the SEASP PEIR introduced peak hour trip budget tracking and controls the amount and intensity of residential and non-residential uses in the SEASP area. As long as the collective project trips associated with proposed development projects do not exceed the trip budget analyzed in the SEASP PEIR, the projects can be found to be consistent with the findings of the SEASP PEIR, and no additional transportation analyses would be required for a project under CEQA.

The Draft PEIR for SEASP was initially circulated for a 60-day review period between July 20, 2016 and September 19, 2016. During this circulation period public comments including comments from the City of Seal Beach, California Department of Transportation (Caltrans), as well as the Los Cerritos Wetlands Trust. In response to these public comments the traffic analysis was updated. The analysis included an expanded study of intersections, revised trip generation and VMT analysis, the incorporation of significance criteria from the City of Seal Beach and Caltrans, revised mitigation measures, clarification on mitigation measures and feasibility at each intersection, and the creation and analysis of a Transportation Demand Management Plan as a project design feature. Upon completion of the updated analysis the Draft SEASP PEIR section regarding Transportation and Traffic was recirculated for an additional 45-day public review period between February 17, 2017 and April 3, 2017, and certified by the City Council with the reduced intensity alternative on September 19, 2017.

A PEIR Compliance Checklist (PECC 03-23) was prepared for the specific project per CEQA in compliance with Sections 15162, 15168(c)(2), and 15183 of the CEQA Guidelines (Attachment K). Technical studies were prepared to inform the analysis included in the Compliance Checklist, which include topical areas of Air Quality/Greenhouse Gas, Biological Resources, Historic Resources, Geotechnical, Hazardous Materials, Sea Level Rise, Noise, Transportation, and Utilities/Service Systems. Project activities have been determined to be within the scope of activities analyzed in the PEIR and will not result in any new significant impacts.



Based upon build out of the SEASP area, there are several topical areas within the SEASP PEIR that have impacts and require the implementation of mitigation measures to reduce those impacts as applicable for each project proposed for the area (Attachment L). Those topical areas requiring mitigation include Air Quality, Biology, Cultural, Hazards and Hazardous Materials, Hydrology and Water Quality, and Traffic. All mitigation measures are included as conditions of approval for the proposed project. The SEASP Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the SEASP PEIR that applies to the Applicant's proposal, specifications are made that identify the action required and the monitoring that must occur. In addition, the party responsible for verifying compliance with individual mitigation measures is identified.

Air Quality mitigation measures require Energy Star Appliances, compliance with the Air Quality Management District's rules relating to construction equipment, and installation of infrastructure relating to electric vehicles. Fair-share payments will be required as part of the traffic mitigation measures for future improvements to different intersections as noted in the mitigation monitoring table. These, and the remainder of the topical areas are discussed in greater detail and all mitigation measures included in the adopted MMRP.

The Project, along with other proposed developments in the SEASP are below the trip budget that was environmentally cleared in the SEASP PEIR. Consistent with the transportation impact study for the SEASP PEIR, the Southern California Association of Government's (SCAG) Travel Demand Forecasting Model was used to update estimates of employment accessible to the proposed project site. The project would generate 53 trips in the evening peak hour, with a remaining 1,858 evening peak trips in the Southwest Quadrant's trip budget (within the SEASP). In addition, the project analysis considers the whole of the project, which includes the removal of two commercial office buildings and replacement with a mixed-use project for which the new traffic from residential uses will likely be less than anticipated due to trends in telecommuting and changes in travel behavior.

*Appeals*

The Planning Commission's July 20, 2023, approval of this project was appealed by three (3) individuals/groups: (1) Lozeau Drury LLP, on behalf of SAFER (APL23-011) (Attachment M); (2) Elizabeth Lambe, on behalf of the Los Cerritos Wetlands Land Trust (APL23-012) (Attachment N); and (3) Ann Cantrell and Anna Christensen, on behalf of Sierra Club Los Cerritos Wetlands Task Force (APL23-014) (Attachment O). Table 3 summarizes the appeal requests.

Table 3 – Appeal Summaries

<b>Appellant</b>	<b>General Description of Appeal</b>
Lozeau Drury LLP - SAFER	The appeal addresses the reliance on a PEIR for the project. The appeal asserts that a project specific Environmental Impact Report (EIR) is required to analyze the project and its impacts. The appeal includes a letter attached to the appeal application that cites additional topics related to height, cumulative impacts, biological

Table 3 – Appeal Summaries

Appellant	General Description of Appeal
	impacts, air quality impacts, hazardous material impacts, mitigation measure compliance, energy impacts, and additional impacts allegedly not included in the PEIR.
E. Lambe – LCWLT	The appeal asserts concerns related to the lot line adjustment for the site, realignment of the Shopkeeper Road extension, implementation of and compliance with the General Plan and SEASP polices, and cumulative impacts allegedly not considered as part of the SEASP PEIR.
Ann Cantrell and Anna Christensen - Sierra Club Los Cerritos Wetlands Task Force	The appeal asserts concerns related to compliance with SEASP development standards, redesign of the project related to height, preparation of a project specific EIR, safety concern for residents within proximity to oil operations and geological conditions, tribal cultural resource consultation, mitigation, and lot line adjustment.

The appeals include that assertion that a project specific EIR is needed and that cumulative impacts not considered by the SEASP PEIR would occur with implementation of the project and nearby projects. A Compliance Checklist was prepared to evaluate and document that the project is consistent with the assumptions contained within the previously analyzed and adopted SEASP PEIR. Consistent with CEQA, the checklist documents that none of the criteria requiring the preparation of a new EIR or an Addendum occurred. Therefore, no further environmental study is necessary. As documented in the attached responses to comments, the project-specific analysis included in the compliance checklist appropriately analyzed the project within the SEASP PEIR and applied the mitigation measures correctly (Attachment P).

The appeals also include the assertion that City staff has not reviewed the project in accordance with the SEASP requirements. Per City staff’s and the SPR Committee’s review of the project, the project met all of the development standards contained in the SEASP except those areas for which a waiver/incentive/concession was requested (Attachment E). The provided density bonus in conjunction with the provision of 17 affordable (very-low income) units is in compliance with the State’s Density Bonus Law (Government Code Section 65915 through 65918). As discussed above, there was not a reasoned basis by which City could make the requisite findings to deny the requested incentive/waivers. Further, the lot line adjustment complies with all required findings and would remain outside the 100-foot buffer from the Los Cerritos Wetlands mapped areas.

The biological impacts assertions in the appeals are also without merit as the project area contains no marine, sensitive plant, or river resources. The existing development site is a paved site with ornamental vegetation and the unbuilt portion of Studebaker Road was analyzed in conformance with the CEQA. The attached memorandum addresses the claims raised in the appeals related to biological impacts and the project analysis conducted for the development site. Any future extension of Shopkeeper Road is not part of this project. The project design would not conflict with the conceptual layout of a future Shopkeeper Road Connection as shown in SEASP. Therefore, there is no additional analysis required for a consideration that is not part of the proposed project.

The project is proposed on property that is already developed and will replace two existing office buildings and surrounding surface parking lots. The surface parking lots are illuminated at night and the existing office building includes glass components that predate the SEASP requirements to reduce bird strikes. The entire existing development and surface lot will be removed and replaced with the proposed six story building that is designed and conditioned to comply with the SEASP biological resource protection requirements (including bird-safe glass and landscaping in compliance with SEASP criteria and associated mitigation measures contained in the SEASP PEIR). A photometric analysis was included in the compliance checklist for the project and conditioned to ensure final building specifications comply with the requirements. This argument should likewise be rejected as unsupported by the facts.

As indicated in the attached memorandums, environmental topics, including but not limited to, air quality, greenhouse gasses, biological resources, hazards, energy, traffic and transportation, geological impacts, and cumulative impacts, were appropriately analyzed in accordance with the SEASP PEIR and CEQA Guidelines. Furthermore, compliance with mitigation measures is included as conditions of approval for the project. Contrary to assertions that the project doesn't include sufficient tribal cultural resource consultation, the project has been conditioned to include a Native American monitor onsite during all ground disturbing activities in accordance with SEASP policies.

The Planning Commission, City staff, and the City's CEQA expert for this project (consulting firm PlaceWorks, who also prepared the SEASP Specific Plan and SEASP PEIR) all determined that these contentions are without merit. The Planning Commission and City staff have evaluated the Compliance Checklist for the proposed project and found that: it is appropriate and adequate; the project will not create new or more significant impacts than those previously analyzed in the SEASP PEIR. Additionally, all potential impacts were adequately accounted for; and the mitigations measures of the SEASP PEIR as applicable to the project are adequate, appropriate, and enforceable. The position of City staff and the Planning Commission is supported by the law, as none of the conditions requiring a new or subsequent or supplemental environmental impact report as stated in Section 21155 of the Public Resources Code or in Sections 15162 or 15163 of the CEQA Guidelines are present here. The Compliance Checklist was prepared pursuant to CEQA Guidelines Section 15168 and 15183. The Planning Commission and City staff's determination is supported by substantial evidence in the record. Lastly under the Housing Accountability Act and the Housing Crisis Act, the City is required to process residential projects fairly, objectively and on a timely basis, limiting any unnecessary environmental review or excess requirements.

Based on the foregoing, City staff requests that the City Council deny the appeals and uphold the decision of the Planning Commission to approve the SPR (SPR22-082), LLA (LLA22-002), LM (LMG22-012), and LCDP (LCDP22-049) and adopt the findings and determinations related to all entitlement approvals for this project.

*Public Hearing Notice*

A notice of public hearing for this City Council appeal hearing was mailed on September 5, 2023, in accordance with the requirements of Chapter 21.21 of the LBMC. This notice was also

provided to the appellants and to other parties who had commented on or specifically requested notice for this project. Two additional comments have been received since the Planning Commission decision (Attachment Q).

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on September 1, 2023 and by Revenue Management Officer Geraldine Alejo on August 31, 2023.

### TIMING CONSIDERATIONS

Per Section 21.21.504 of the Zoning regulations, a public hearing on the appeal is required to be held within 60 days of receipt of the appeal by the City Clerk from the Development Services Department. The appeals were filed and received on July 27, 2023, July 28, 2023, and July 31, 2023, and the 60-day period expires on September 25, 2023. The timely conclusion of this matter is required under both LBMC Section 21.21.604 and the State Housing Accountability Act.

### LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party, participant, or their representatives, during a proceeding and for 12 months following the date a final decision is rendered.

### FISCAL IMPACT

There is no fiscal impact associated with the recommendation or the proposed project. The conditions of approval specify that any cost related to improvements and enhancements within the right-of-way will be paid for by the developer and includes street and sidewalk improvements, bus stop improvements and enhancements. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

HONORABLE MAYOR AND CITY COUNCIL

September 19, 2023

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTOPHER KOONTZ  
DIRECTOR DEVELOPMENT SERVICES

APPROVED:



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THOMAS B. MODICA  
CITY MANAGER

- ATTACHMENTS: RESOLUTION
- A – PLANNING COMMISSION STAFF REPORT AND ATTACHMENTS FROM JULY 20, 2023
  - B – VICINITY MAP
  - C – SITE PHOTOGRAPHS
  - D – PLANS
  - E – INCENTIVES AND WAIVERS REPORT
  - F – PARKING STUDY
  - G – FINDINGS
  - H – LLA AND LM EXHIBIT
  - I – CONDITIONS OF APPROVAL
  - J – SEASP PROGRAM ENVIRONMENTAL IMPACT REPORT
  - K – SEASP COMPLIANCE CHECKLIST (PECC 03-23)
  - L - SEASP MITIGATION MONITORING AND REPORTING PROGRAM
  - M – APPEAL APL23-011
  - N – APPEAL APL23-012
  - O – APPEAL APL23-014
  - P – RESPONSES TO APPEALS
  - Q – PUBLIC COMMENT

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH FINDING THAT THE MARKETPLACE PROJECT AT 6615-6695 EAST PACIFIC COAST HIGHWAY IS CONSISTENT WITH AND WITHIN THE SCOPE OF THE SOUTHEAST AREA SPECIFIC PLAN PROGRAM ENVIRONMENTAL IMPACT REPORT AND SUBJECT TO THE SOUTHEAST AREA SPECIFIC PLAN MITIGATION MONITORING AND REPORTING PROGRAM; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATED THERETO

WHEREAS, on June 1, 2017, the Planning Commission conducted a public hearing on the Southeast Area Specific Plan (SEASP) and formally recommended the Specific Plan to the City Council for adoption. The purpose of the SEASP was to enhance the quality of life, improve the functionality and visual appearance of public and private improvements in the area, and provide an overall framework for resource protection, mobility, growth, and development for the southeast area of the City into the future; and

WHEREAS, on September 19, 2017, the City Council of the City of Long Beach adopted certain provisions of the Long Beach Zoning Regulations, Title 21 of the Long Beach Municipal Code, relating to establishing the SEASP consisting of 1,472 acres and including 1,372 acres currently zoned PD-1, 94 acres of the San Gabriel River and Los Cerritos Channel, and six (6) acres along the southeast edge of the current PD-1 boundary. The SEASP replaced the Southeast Area Development and Improvement Plan (SEADIP). A new Specific Plan was required to bring regulations in the southeast part of the City into conformity with the new vision for the area, to comply with State requirements for more compact mixed-use development, and to provide a range of

1 mobility options the public had expressed a desire for and which were mandated under  
2 the City’s Mobility Element, as well as State law; and

3 WHEREAS, in connection with adoption of the SEASP, the City, as lead  
4 agency, prepared a Program Environmental Impact Report (PEIR) for the SEASP (State  
5 Clearinghouse No. 2015101075) (SEASP PEIR) in accordance with the provisions of the  
6 California Environmental Quality Act (CEQA) and Section 15168 of the CEQA Guidelines,  
7 which provides for the preparation of a PEIR “[i]n connection with issuance of rules,  
8 regulations, plans, or other general criteria to govern the conduct of a continuing  
9 program.” The City Council certified the SEASP PEIR in September 2017 when it  
10 adopted the SEASP; copies of which SEASP PEIR, are accessible at the links included in  
11 Exhibit “A” attached hereto and incorporated herein by this reference as though set forth  
12 in full, word for word;

13 WHEREAS, on October 8, 2020, the California Coastal Commission (CCC)  
14 held a hearing for the Local Coastal Program Amendment (LCPA No. 1-19 [LCP-5-LOB-  
15 19-0008-1]) related to the City Council’s adoption of SEASP and CCC recommended  
16 certification of the Local Coastal Program Amendment with required modifications;

17 WHEREAS, on July 13, 2021, the City Council of the City of Long Beach  
18 adopted the modifications proposed by the CCC, determined that the changes to the  
19 SEASP from the CCC were not significant and were within the scope of the SEASP PEIR  
20 and recertified the SEASP PEIR;

21 WHEREAS, where appropriate, the mitigation measures to the SEASP  
22 PEIR require preparation of specific additional studies and analyses to determine  
23 whether an individual project would result in project-specific new or increased significant  
24 effects that are peculiar to the project or its site;

25 WHEREAS, the proposed Marketplace Project (Project) located at 6615,  
26 6621, and 6695 East Pacific Coast Highway in the City of Long Beach is an L-shaped site  
27 comprised of three (3) parcels located at the northeast corner of the intersection of  
28 Pacific Coast Highway and Studebaker Road in the southeast portion of the City of Long

1 Beach. The project would consist of the demolition of two (2) existing office buildings on  
2 the site, and the construction of a new six-story mixed-use project consisting of 390  
3 residential dwelling units (seventeen (17) of which are affordable units at the very low  
4 income level), 5,531 square feet of commercial/retail space in a building with 576  
5 vehicular parking spaces, 196 bicycle parking spaces, and 45,141 square feet of public  
6 and private open space area within the Mixed-Use Community Core designation of the  
7 SEASP. The Project site is within the boundaries of the SEASP, and, as set forth below,  
8 is consistent with the SEASP;

9 WHEREAS, the California Density Bonus Law (California Government  
10 Code Section 65915 et seq.) allows developers to seek increases in base density in  
11 exchange for providing affordable housing units on site. To help make constructing on-  
12 site affordable units feasible, the law allows developers to seek incentives, concessions  
13 and waivers to ensure the project could be built without significant burden and without  
14 detriment to public health;

15 WHEREAS, this Project proposes seventeen (17) very-low income  
16 affordable units which qualifies the Project for a twenty (20) percent increase in the  
17 number of market rate units within the project. The seventeen (17) affordable units will be  
18 provided at the very-low-income level, restricted as affordable through a covenant for a  
19 minimum of 55 years, as required by the California State Density Bonus Law. Based on  
20 the percentage of affordable units proposed by the Project, the California Density Bonus  
21 Law permits one incentive or concession, in addition to any necessary waivers,  
22 reductions or modifications to development standards and other regulations where those  
23 requirements could make the construction of the proposed Project with the contemplated  
24 incentive physically infeasible if not approved. The Density Bonus incentive requested for  
25 this Project relates to building massing and would allow the proposed Project to include  
26 one building in lieu of multiple buildings encouraged by the SEASP. The requested four  
27 (4) waivers relate to the massing incentive and include: (1) building height (maximum  
28 height of 91-feet 8 1/2 inches to allow for the sixth floor and rooftop amenities); (2)



1 building stories (exceed the building height requirements along Pacific Coast Highway  
2 which is limited to five (5) stories) and Shopkeeper Road (which is limited to three (3)  
3 stories for the first 30 feet); (3) Building story requirements along Shopkeeper Road  
4 Fronting Wetlands (allow six (6) stories within the 30 feet adjacent to Shopkeeper Road  
5 fronting the wetlands whereas the SEASP limits heights to three (3) stories at the first 30  
6 feet); and (4) a variety of height allowances to allow the project to include buildings at  
7 maximum heights;

8 WHEREAS, on July 20, 2023, the Long Beach Planning Commission took  
9 the following actions: determined that the Project is within the scope of and consistent  
10 with the previously certified SEASP PEIR and approved the Compliance Checklist (PECC  
11 03-23) evidencing consistency with the SEASP PEIR; approved the Site Plan Review  
12 application (SPR22-082); approved the Lot Line Adjustment (LLA22-002); approve a lot  
13 merger request (LMG22-012); and approve a Local Coastal Development Permit  
14 (LCDP22-049) for all discretionary and subdivision actions required for the proposed  
15 Project;

16 WHEREAS, within the 10-day post-hearing appeal period, (1) Lozeau Drury  
17 LLP, on behalf of Supporters Alliance for Environmental Responsibility (SAFER) (APL12-  
18 011); (2) Elizabeth Lambe on behalf of the Los Cerritos Wetlands Land Trust (LCWLT)  
19 (APL23-012); and (3) Ann Cantrell and Anna Christensen on behalf of the Sierra Club  
20 Los Cerritos Wetlands Task Force (APL23-014), filed appeals of the Planning  
21 Commission's action, copies of which appeals were appended to the staff report provided  
22 to the City Council for its review and consideration;

23 WHEREAS, the Planning Bureau of the Department of Development  
24 Services has undertaken review of the Project in accordance with CEQA Guidelines  
25 Section 15183 through the use of the Compliance Checklist (PECC 03-23) attached to  
26 the staff report as Attachment K, and incorporated herein by this reference as though set  
27 forth in full, word for word The Compliance Checklist (PECC 03-23) has been provided to  
28 the City Council for its evaluation and consideration to determine whether there are

1 project-specific significant effects which are peculiar to the Project or the project site that  
2 would require still further environmental analysis; and

3 WHEREAS, pursuant to CEQA, the City serves as the “lead agency” with  
4 respect to the Project in connection with the subject City actions.

5 NOW, THEREFORE, the City Council resolves as follows:

6 Section 1. The City Council: (a) has considered the SEASP PEIR  
7 analysis as prepared by City staff, and other pertinent evidence in the record, including  
8 the Compliance Checklist (PECC 03-23) studies, reports, and other information from  
9 qualified experts (collectively the “Environmental Documents”), (b) has considered the  
10 environmental effects of the Project as set forth in the Environmental Documents, and (c)  
11 makes the following findings:

- 12 A) The City independently reviewed and analyzed the Environmental  
13 Documents and finds that they reflect the independent judgment of the City.
- 14 B) The SEASP was adopted as a zoning ordinance and is consistent with the  
15 City’s General Plan.
- 16 C) The City previously certified the SEASP PEIR for the SEASP.
- 17 D) The Project is consistent with the provisions and requirements of the  
18 SEASP.
- 19 E) All applicable feasible mitigation measures from the SEASP PEIR will be  
20 imposed on and be undertaken as part of the Project, in the form of  
21 mitigation measures, regulatory compliance measures, project design  
22 features, and/or conditions of approval, as set forth in the Environmental  
23 Documents in addition to mitigation by the imposition of uniformly applied  
24 development policies or regulatory standards applicable to the project.
- 25 F) Based on substantial evidence in the Environmental Documents and  
26 elsewhere in the record, including but not limited to oral and written  
27 testimony provided at the public hearings on the matter, there are no  
28 environmental effects of the Project that: (1) are project-specific impacts

- 1 peculiar to the Project or its site; (2) were not analyzed as significant effects  
2 in the SEASP PEIR; (3) are potentially significant off-site impacts and  
3 cumulative impacts which were not discussed in the SEASP PEIR; or (4)  
4 are previously identified significant effects which, as a result of substantial  
5 new information which was not known at the time the SEASP PEIR was  
6 certified, are determined to have a more severe adverse impact than  
7 discussed in the SEASP PEIR.
- 8 G) Pursuant to CEQA Guidelines 15183, no further CEQA review or additional  
9 environmental studies are required for the Project.
- 10 H) None of the information submitted by the Appellants, including the Appeals  
11 and testimony by the Appellants and their representatives at the public  
12 hearings on the Project, constitutes significant new information. The City  
13 Council has carefully considered the information and testimony provided at  
14 the public hearing and does not find it to be credible evidence of a  
15 significant new environmental impact, a substantial increase in the severity  
16 of an impact previously disclosed in the SEASP PEIR, or otherwise  
17 requiring additional CEQA review, including but not limited to the  
18 preparation of a subsequent or supplemental EIR pursuant to CEQA  
19 Guidelines 15162 and 15163;
- 20 I) The City Council finds and declares that substantial evidence for every  
21 finding made herein is contained in the Environmental Documents, which  
22 are incorporated herein by this reference, and is in the record of  
23 proceedings in the matter.
- 24 J) Consistent with Public Resources Code Section 21081.6, the City Council  
25 adopts and imposes the Mitigation Monitoring and Reporting Program  
26 attached hereto as Exhibit "B", which is incorporated herein by this  
27 reference, to mitigate or avoid significant effects of the Project on the  
28 environment and to ensure compliance during project implementation.

1 K) In accordance with the requirements of Public Resources Section 21081.6,  
2 the City Council hereby adopts each of the mitigation measures expressly  
3 set forth herein as conditions of approval for the Project.

4 L) Consistent with Public Resources Code Section 21081.6(a)(2), the  
5 documents that constitute the record of proceedings for approving the  
6 Project are located at the Development Services Department, 411 East  
7 Ocean Blvd., 3rd Floor, Long Beach, California 90802.

8  
9 Section 2. After due consideration and receipt of all appropriate evidence,  
10 both written and oral, the City Council hereby denies the appeals of Lozeau Drury LLP,  
11 on behalf of SAFER, Elizabeth Lambe on behalf of LCWLT, and Ann Cantrell and Anna  
12 Christensen on behalf of Sierra Club Los Cerritos Wetlands Task Force and approves the  
13 Project, as conditioned and mitigated, and as described in the supporting documentation,  
14 which documentation is incorporated herein by reference as though set forth herein, word  
15 for word.

16 Section 3. This resolution shall take effect immediately upon its adoption  
17 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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**SOUTHEAST AREA SPECIFIC PLAN  
PROGRAM ENVIRONMENTAL IMPACT REPORT  
State Clearinghouse No. 2015101075**

**Resolution to Certify the Program Environmental Impact Report (PEIR), including Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program.**

- Resolution No. RES-17-0101:

<https://longbeach.legistar.com/View.ashx?M=F&ID=5541058&GUID=22E2E145-CDC2-40E5-9A04-1512B04D4BA3>

**Draft and Final PEIR and Technical Analyses:**

<https://www.longbeach.gov/lbds/planning/environmental/reports/>

- **SEASP 2060 Document (Superseded by RES-21-0078):**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/seasp\\_r4\\_web\\_9-7-17](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/seasp_r4_web_9-7-17)

- **SEASP Mitigation Monitoring and Reporting Program:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/exhibit-d-seasp-mmrp\\_final\\_ri-alt](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/exhibit-d-seasp-mmrp_final_ri-alt)

- **SEASP Final EIR:**

<https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/exhibit-d-seasp-feir>

- **App A1 Agency and Org Comments on DEIR:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-a1\\_agency-and-org-comments-on-deir](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-a1_agency-and-org-comments-on-deir)

- **App A2 Resident Comments on DEIR:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-a2\\_resident-comments-on-deir](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-a2_resident-comments-on-deir)

- **App A3 Late Letters on DEIR:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-a3\\_late-letters-on-deir](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-a3_late-letters-on-deir)

- **App B1 Agency and Org Comments on Traffic Section:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-b1\\_agency--org-comments-on-traffic-section-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-b1_agency--org-comments-on-traffic-section-reduced)

- **App B2 Resident Comments on Traffic Section:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-b2\\_resident-comments-on-traffic-section](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-b2_resident-comments-on-traffic-section)

- **App B3 Seiff K Attachment Photos:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-b3\\_seiff\\_k\\_attachment\\_photos](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-b3_seiff_k_attachment_photos)

- **App C1 WRA Memo on Bird Safe:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-c1\\_wra-memo-on-bird-safe](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-c1_wra-memo-on-bird-safe)

- **App C2 WRA SEASP DEIR RTC Memo:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-c2\\_wra-seasp-deir-rtc-memo](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-c2_wra-seasp-deir-rtc-memo)

- **App D1 Intersection 10:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-d1\\_intersection-10](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-d1_intersection-10)

- **App D2 New Intersections Freeway Figures:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-d2\\_new-intersections\\_freeways\\_figures](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-d2_new-intersections_freeways_figures)

- **App D3 Public Records Request Memo:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-d3\\_public-records-request-memo](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-d3_public-records-request-memo)

- **App E SEASP Infrastructure:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-e\\_seasp\\_infrastructure](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-e_seasp_infrastructure)

- **App F 081816 SEASP Study Session MEP:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-f\\_081816\\_seasp-study-session-pc\\_mep](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-f_081816_seasp-study-session-pc_mep)



- **Appendix G. Petitions:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-g\\_petitions-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/app-g_petitions-reduced)

- **Recirculated DEIR NOA:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/noa\\_eir](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/noa_eir)

- **Recirculated DEIR Summary of Revisions:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/seasp\\_recirc\\_summary-of-revisions](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/seasp_recirc_summary-of-revisions)

- **Recirculated DEIR Chapter 5-16:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/ch\\_05-16-traffic\\_recirculated-02-16-17](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/ch_05-16-traffic_recirculated-02-16-17)

- **Recirculated DEIR Appendix J1 TIA:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/j1\\_seasp\\_tia\\_02\\_16\\_2017\\_final\\_website](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/j1_seasp_tia_02_16_2017_final_website)

- **Recirculated DEIR Appendix J2 TDM Plan:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/j2\\_tdm\\_plan\\_2017\\_jan\\_2017](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/j2_tdm_plan_2017_jan_2017)

- **Recirculated DEIR Appendix J3 VMT Memo:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/j3\\_seasp-vmt-memo-02-16-2017](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/j3_seasp-vmt-memo-02-16-2017)

- **SEASP NOA:**

<https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/seasp-noa>

- **SEASP Hearing Draft Specific Plan:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/web\\_seasp\\_hearing\\_review\\_draft\\_07122016-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/web_seasp_hearing_review_draft_07122016-reduced)

- **Local Coastal Program:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/seasp\\_lcp\\_amendment\\_draft\\_07182016-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/seasp_lcp_amendment_draft_07182016-reduced)

- **Draft EIR Title Page:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/-\\_titlepage](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/-_titlepage)

- **Draft EIR Ch\_00\_TOC:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_00\\_toc](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_00_toc)

- **Draft EIR Ch 01:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_01](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_01)

- **Draft EIR Ch 02:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_02](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_02)

- **Draft EIR Ch 03:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_03](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_03)

- **Draft EIR Ch 04:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_04](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_04)

- **Draft EIR Ch\_05-00:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-00](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-00)

- **Draft EIR Ch\_05-01 AE:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-01-ae](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-01-ae)

- **Draft EIR Ch\_05-02 AG:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-02-ag](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-02-ag)

- **Draft EIR Ch\_05-03 AQ:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-03-aq](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-03-aq)

- **Draft EIR Ch\_05-04 BIO:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-04-bio](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-04-bio)

- **Draft EIR Ch\_05-05 CUL:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-05-cul](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-05-cul)

- **Draft EIR Ch\_05-06 GEO:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-06-geo](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-06-geo)

- **Draft EIR Ch\_05-07 GHG:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-07-ghg](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-07-ghg)

- **Draft EIR Ch\_05-08-HAZ:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-08-haz](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-08-haz)

- **Draft EIR Ch\_05-09 HYD:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-09-hyd](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-09-hyd)

- **Draft EIR Ch\_05-10 LU:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-10-lu](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-10-lu)

- **Draft EIR Ch\_05-11 MIN:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-11-min](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-11-min)

- **Draft EIR Ch\_05-12 N:**

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- **Draft EIR Ch-05-13 PH:**

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- **Draft EIR Ch\_05-14 PS:**

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- **Draft EIR Ch\_05-15 REC:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-15-rec](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-15-rec)

- **Draft EIR Ch\_05-16 T:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-16-t](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-16-t)

- **Draft EIR Ch\_05-17 USS:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch\\_05-17-uss](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/ch_05-17-uss)

- **Draft EIR Ch\_06:**

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- **Draft EIR Ch\_07:**

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- **Draft EIR Ch\_08:**

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- **Draft EIR Ch\_09:**

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- **Draft EIR Ch\_10:**

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- **Draft EIR Ch\_11:**

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- **Draft EIR Ch\_12:**

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- **Draft EIR Ch\_13:**

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- **DEIR App Title Page:**

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- **DEIR App Ch\_00\_TOC:**

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- **DEIR App A\_NOP and Initial Study:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-a\\_southeast-area-sp-initial-study\\_10-21-15](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-a_southeast-area-sp-initial-study_10-21-15)

- **DEIR App B\_NOP Comments:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-b1\\_nop-comments-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-b1_nop-comments-reduced)

- **DEIR App C\_AQ and GHG Modeling:**

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- **DEIR App D\_Bio Resources and Wetland:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-d\\_biological-assessment-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-d_biological-assessment-reduced)



- **DEIR App E\_Cultural Resources:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-e\\_cultural-resources-rpt\\_web](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-e_cultural-resources-rpt_web)

- **DEIR App F\_Geotechnical:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-f\\_geotech-summary-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-f_geotech-summary-reduced)

- **DEIR App G\_Phase 0 Site Assessment:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-g\\_phase-0\\_small](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-g_phase-0_small)

- **DEIR App H\_Infrastructure:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-h\\_infrastructure-technical-report-reduced](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-h_infrastructure-technical-report-reduced)

- **DEIR App I\_Noise Modeling:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-i\\_noise-modeling](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-i_noise-modeling)

- **DEIR App J\_TIA:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-j\\_seasp\\_tia\\_final](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-j_seasp_tia_final)

- **DEIR App K\_Public Services Correspondence:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-k\\_ps-correspondence](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-k_ps-correspondence)

- **DEIR App L\_Water Supply Assessment:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-l\\_wsa-seasp](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-l_wsa-seasp)

- **DEIR App M\_Draft MMRP:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-m\\_seasp\\_draft-mmpr](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/app-m_seasp_draft-mmpr)

- **Notice of Preparation:**

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- **Initial Study:**

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- **Comment Card:**

[https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/communityworkshop4\\_commentcard\\_draft\\_2016-03-22](https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/environmental/environmental-reports/approvedcertified-part-2/southeast-area-specific-plan-seasp/draft-eir-and-appendices/communityworkshop4_commentcard_draft_2016-03-22)

August 2017 | **Mitigation Monitoring and Reporting Program**

# **Southeast Area Specific Plan**

for City of Long Beach

*Prepared for:*

**City of Long Beach**

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## Mitigation Monitoring and Reporting Program

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## Mitigation Monitoring and Reporting Program

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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle to monitor mitigation measures and conditions of approval outlined in the Final Environmental Impact Report. The MMRP has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Long Beach monitoring requirements. Section 21081.6 states:

(a) When making the findings required by paragraph (1) of subdivision subsection (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures

## Mitigation Monitoring and Reporting Program

submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

The MMRP will serve to document compliance with adopted/certified mitigation measures that are formulated to minimize impacts associated with future development that would be accommodated by the Southeast Area Specific Plan.

### 1.2 PROJECT SUMMARY

The Project consists of a specific plan, general plan amendment, zoning ordinance amendment, and LCP amendment to shape the land use and development on 1,481 acres. The Project consists of two components: 1) the Southeast Area Specific Plan (SEASP; Specific Plan) covering 1,472 acres and 2) the conventional zoning area covering 9 acres. The conventional zoning area is described starting on Page 3-21 of this section. Both of these areas constitute the “project” for purposes of CEQA, but are described separately below.

#### **Southeast Area Specific Plan**

The Southeast Area Specific Plan consists of 1,472 acres and includes 1,372 acres currently zoned “PD-1, SEADIP,” 94 acres of the San Gabriel River and Los Cerritos Channel, and 6 acres along the southeast edge of the current PD-1 boundary. This 6-acre area is the result of a boundary adjustment between Los Angeles and Orange County that was approved by the local area formation commission in 2012, but never updated in PD-1. The proposed Specific Plan would replace the 1977 Southeast Area Development Improvement Plan (PD-1).

Land use designations would include: Single Family Residential, Multi-Family Residential, Mobile Homes, Commercial-Neighborhood, Mixed Use Community Core, Mixed Use Marina, Industrial, Public, Open Space and Recreation, Coastal Habitat/Wetlands/Recreation, Channel/Marina/Waterway, Right-of-Way /Caltrans, and Dedicated Right-of-Way (not built).

Land use statistics are provided in Table 1-1. Buildout of the Specific Plan as revised under the Reduced Intensity Alternative would allow a total of 6,663 dwelling units, 2,398,547 square feet of commercial/employment uses, and 375 hotel rooms.



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**Table 1-1 Southeast Area Specific Plan Land Use Summary**

	Existing	Projection	Net Increase
Dwelling Units	4,079	6,663	2,584
Population	6,486	10,594	4,108
Commercial/Employment (SF)	2,091,476	2,398,547	307,071
Employees	3,555	3,704	149
Hotel Rooms	375	375	0
Acres	1,381 <sup>1</sup>	1,472 <sup>2</sup>	0

Source: City of Long Beach; PlaceWorks (October 2015; March 2016).

1. The PD-1 boundary does not include portions of the San Gabriel River and the Los Cerritos Channel totaling 94 acres and 6 acres resulting from a County boundary adjustment approved by LAFCO.
2. The Project area consists of a total of 1,481 acres: 1) 1,472 acres within the proposed Specific Plan, which includes the 94 acres of waterways and 6 acres along the southeast boundary; and 2) 9 acres in the conventional zoning area that were in the PD-1 boundary but removed from the Specific Plan.

In addition to the required elements of the Specific Plan—such as, development standards, design guidelines—there are a number of project design features that have mitigating effects. Mobility improvements include enhanced roadway, bicycle, and pedestrian connectivity. SEASP Sections 7.2.2, Views, and 7.2.5, Special Edge Conditions, protect scenic views and require sensitive design adjacent to wetlands, marinas, and waterways. SEASP Section 7.3.14, Bird-Safe Treatments, reduces impacts related to birds by addressing the interface between the wetlands (as essential bird habitat) and urban uses. It establishes criteria for lighting, landscaping, and façade treatments to minimize light pollution in natural areas and bird strikes. The proposed Specific Plan also establishes a Wetland Conservation and Monitoring Fund (SEASP Section 5.9) to preserve and restore wetlands and requires wetland buffers for development adjacent to wetlands (SEASP Section 5.10).

### Conventional Zoning Area

The remaining nine acres of land in the Project area directly west of the Marina Vista Park are proposed to be extracted from the PD-1 zoning designation and converted to conventional zoning. This area would not be included in the proposed Specific Plan. Existing land uses in this area include single-family homes and a fire station. The proposed land use for this area was determined based on existing conditions and would be designated single-family residential. No new development is intended for this area, and no physical change (e.g., additional development intensity or redevelopment) is expected to occur; all existing uses within this area are expected to remain.

A conventional zoning designation (R-1-N, single family residential) was chosen to be consistent with the existing residential development. No new development is intended in this area. Given that the existing intensity of development is not expected to change, buildout projections for the nine-acre conventional zoning area assume no change in number of dwelling units or population. Buildout projections for the area are shown in Table 1-2.

## Mitigation Monitoring and Reporting Program

**Table 1-2 Conventional Zoning Area**

	Existing	Conventional Zoning/ R-Zone
Dwelling Units	39	39
Population	66	66
Public (SF)	16,693	16,693
Employees	—	—
Hotel Rooms	—	—
Acres	9	9

Notes: SF = square feet

### 1.3 PROJECT LOCATION

The Project area is on the southeast edge of the City of Long Beach, California, within Los Angeles County and bordering Orange County. The area encompasses 1,481 acres and consists of the area south of 7th Street, east of Bellflower Boulevard, east of the Long Beach Marine Stadium and Alamitos Bay docks, south of Colorado Street, and north and west of Long Beach’s southern boundary. The Los Cerritos Channel and San Gabriel River run through the Project area toward the Alamitos Bay and Pacific Ocean and are included as part of the Project area.

Regional access to the Project area is provided by Interstate 405 (I-405) and I-605. I-405 runs east-west, and the I-605 runs north-south near the northeastern portion of the Project area. Also, State Route 22 (SR-22) intersects with I-605 and runs east-west into the northeast portion of the Project area, and terminates as 7th Street along the Project’s northern boundary.

### 1.4 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the DEIR, specifications are made herein that identify the action required and the monitoring and reporting that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the MMRP. To effectively track and document the status of mitigation measures, a mitigation matrix has been prepared (see Table 1-3).

Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<b>5.3 AIR QUALITY</b>						
AQ-1 Applicants for new development projects within the Southeast Area Specific Plan shall require the construction contractor to use equipment that meets the US Environmental Protection Agency (EPA) Tier 4 emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated to the City of Long Beach that such equipment is not available. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by the California Air Resources Board's regulations.  Prior to construction, the project engineer shall ensure that all demolition and grading plans clearly show the requirement for EPA Tier 4 or higher emissions standards for construction equipment over 50 horsepower. During construction, the construction contractor shall maintain a list of all operating equipment in use on the construction site for verification by the City of Long Beach. The construction equipment list shall state the makes, models, and numbers of construction equipment onsite. Equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. Construction contractors shall also ensure that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with California Air Resources Board's Rule 2449.	Prior to and during construction activities	Project Applicant, Engineer and Construction Contractor	Long Beach Development Services Department	Long Beach Development Services Department		

## Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<p>AQ-2 Applicants for new development projects within the Southeast Area Specific Plan shall require the construction contractor to prepare a dust control plan and implement the following measures during ground-disturbing activities—in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District (SCAQMD) Rule 403—to further reduce PM10 and PM2.5 emissions. The City of Long Beach shall verify that these measures have been implemented during normal construction site inspections.</p> <ul style="list-style-type: none"> <li>• Following all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering.</li> <li>• During all construction activities, the construction contractor shall sweep streets with SCAQMD Rule 1186-compliant, PM10-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.</li> <li>• During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and shall tarp materials with a fabric cover or other cover that achieves the same amount of protection.</li> <li>• During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.</li> <li>• During all construction activities, the construction contractor shall limit onsite vehicle speeds on unpaved roads to no more than 15 miles per hour.</li> <li>• Heavy construction vehicles trips shall be limited to off-peak hours.</li> </ul>	During ground-disturbing activities	Project Applicant and Construction Contractor	Long Beach Development Services Department	Long Beach Development Services Department		

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AQ-3 Applicants for new development projects within the Southeast Area Specific Plan shall require the construction contractor to use coatings and solvents with a volatile organic compound (VOC) content lower than required under South Coast Air Quality Management District Rule 1113 (i.e., super compliant paints). The construction contractor shall also use precoated/natural-colored building materials, where feasible. Use of low-VOC paints and spray method shall be included as a note on architectural building plans and verified by the City of Long Beach during construction.	During construction activities	Project Applicant and Construction Contractor	Long Beach Development Services Department	Long Beach Development Services Department		
AQ-4 Prior to issuance of a building permit for new development projects within the Southeast Area Specific Plan, the property owner/developer shall show on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star appliances. Installation of Energy Star appliances shall be verified by the City of Long Beach prior to issuance of a certificate of occupancy.	Prior to the issuance of building permits	Property Owner/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		
AQ-5 Prior to issuance of building permits for residential development projects within the Southeast Area Specific Plan, the property owner/developer shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City of Long Beach prior to issuance of a certificate of occupancy. <ul style="list-style-type: none"> <li>For multifamily dwellings, electric vehicle charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) of the CALGreen Code and the Long Beach Municipal Code.</li> <li>Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code.</li> </ul>	Prior to the issuance of building permits	Property Owner/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
AQ-6 Prior to issuance of building permits for nonresidential development projects within the Southeast Area Specific Plan, the property owner/developer shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City of Long Beach prior to issuance of a certificate of occupancy. <ul style="list-style-type: none"> <li>For buildings with more than ten tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3 (Nonresidential Voluntary Measures) of the CALGreen Code.</li> <li>Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the CALGreen Code.</li> <li>Facilities shall be installed to support future electric vehicle charging at each nonresidential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures) of the CALGreen Code and the Long Beach Municipal Code.</li> </ul>	Prior to the issuance of building permits	Property Owner/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
AQ-7 New industrial land uses that have industrial equipment which requires a permit to operate from the South Coast Air Quality Management District, or have the potential to generate 40 or more diesel trucks per day, and are located within 1,000 feet of a sensitive land use (e.g. residential, schools, hospitals, nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of Long Beach prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and the applicable air quality management district. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E 06), that particulate matter concentrations would exceed 2.5 µg/m3, or that the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that best available control technologies for toxics (T BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T BACTs may include, but are not limited to, restricting idling onsite, electrifying warehousing docks to reduce diesel particulate matter, and requiring use of newer equipment and/or vehicles. T BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the project.	Prior to future discretionary project approval	Property Owner/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date		
					Responsible Monitoring Party	Project Mitigation Monitor	
<b>5.4 BIOLOGICAL RESOURCES</b>							
BIO-1	Concurrent with submittal of site development plans for development on or adjacent to undeveloped land and all land within the Coastal Habitat, Wetlands & Recreation land use, the project applicant shall submit a biological resources report conducted by a qualified biologist. The biological resources report shall include: analysis of available literature and databases (CNDDDB); historical sensitive biological resources; review of current land use and land ownership within the project vicinity; on-site survey and mapping that delineates vegetation communities present within the development area; identification of jurisdictional waters and special status habitat, wildlife, and plant species. Focused surveys for sensitive, threatened, endangered species, will also be prepared, as required. The project applicant shall demonstrate that the proposed development and project design avoids impacts to special status species and habitats, in consultation with CDFW and USFWS. If complete avoidance is not possible, the project applicant shall obtain necessary permits from CDFW and USFWS. Prior to the issuance of grading permits, the project applicant shall submit plans, required permits, and mitigation plans (if needed) to the Long Beach Development Services Department for review and approval.	Concurrent with submittal of site development plans and prior to the issuance of grading permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		



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**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<p>BIO-2 Concurrent with submittal of site development plans for development on or adjacent to undeveloped land and all land within the Coastal Habitat, Wetlands &amp; Recreation land use, the project applicant shall submit a jurisdictional delineation prepared by a qualified biologist or letters stating that no such jurisdictional features exist. The jurisdictional delineation shall be prepared pursuant to the requirements of (1) US Army Corps of Engineers (Corps) jurisdiction pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, (2) CDFW jurisdiction pursuant to Section 1602 of the Fish and Game Code, (3) RWQB jurisdiction pursuant to Section 401 of the Clean Water Act and Section 13260 of the Porter-Cologne Act, and (4) wetlands as defined under the California Coastal Act. The project shall be designed to avoid impacts to jurisdictional wetlands. If wetland avoidance is not possible, the applicant shall ensure no net loss of wetlands either by creation of applicant-sponsored wetlands or purchase of mitigation bank credits in consultation with applicable Federal- and State- agencies (Corps, CDFW, RWQB, and/or Coastal Commission). Any mitigation, replacement, and/or restoration of habitat shall occur in the LCWC or in an approved coastal mitigation bank that covers this area. If the applicant can demonstrate that there are no logistically viable opportunities for mitigation within the LCWC, the applicant may propose mitigation elsewhere, which must be approved by the City and the resource agencies. The mitigation plan prepared in consultation with the applicable agencies shall include: responsibilities and of persons to supervise and implement the plan, site selection, restoration and creation of habitat; site preparation and planting implementation, schedule, maintenance guidelines, monitoring plan (5 year minimum), and long-term preservation. Prior to the issuance of grading permits covering jurisdictional areas, the project applicant shall provide evidence to the Long Beach Development Services Department that (1) all necessary permits or authorizations have been obtained from the Corps (pursuant to Section 404 of the Clean Water Act), CDFW (pursuant to Section 1602 of the Fish and Game Code, and RWQCB (pursuant to Section 401 of the Clean Water Act), the</p>	<p>Concurrent with submittal of site development plans and prior to the issuance of grading permits</p>	<p>Project Applicant/ Developer</p>	<p>Long Beach Development Services Department</p>	<p>Long Beach Development Services Department</p>		

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
Coastal Commission, or that no such permits are required; and (2) the detailed mitigation and restoration plan shall be approved by the Development Services Department.						
BIO-3 If sensitive biological resources are identified within or abutting to the proposed development area, the project applicant shall submit evidence to the Long Beach Development Services Department that a qualified biologist has been retained to prepare a construction management plan. The construction limits shall be clearly flagged and/or fenced. No construction access, parking, storage of equipment, or waste dirt or rubble will be permitted within such marked areas. A monitoring biologist shall be onsite during any grading activities. The qualified biologist shall also develop and implement a project specific contractor training program to educate project contractors on the sensitive biological resources within and adjacent to the proposed development project area and oversee measures to avoid and/or minimize impacts to these species.	Prior to the issuance of grading permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

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**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<p>BIO-4 Prior to the issuance of grading permits for any development, the project applicant shall include noise reduction measures to reduce noise impacts to wildlife. A note shall be provided on development plans indicating that throughout grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ul style="list-style-type: none"> <li>• During all excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.</li> <li>• The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors (wildlife) nearest the project site.</li> <li>• The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors (wildlife) during all project construction.</li> <li>• No construction shall occur within 500 feet of nesting raptors or threatened or endangered species and 100 feet of all other nesting birds protected by the federal Migratory Bird Treaty Act.</li> </ul>	Prior to the issuance of grading permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		
<p>BIO-5 Prior to approval of any development adjacent to jurisdictional waters or habitat for special status species and all land within the Coastal Habitat, Wetlands &amp; Recreation land use, the project applicant shall submit a photometric plan demonstrating that the project will be designed and shielded so that the project's contribution of nighttime lighting shall be no greater than 0.10 foot-candles at the edge of the habitat. This would ensure that spill light does not result in exposure of artificial light at levels exceeding the intensity of moonlight (approximately 0.5 foot-candles).</p>	Prior to approval of any development adjacent to jurisdictional waters or habitat for special status species and all land within the Coastal Habitat	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

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**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
BIO-6 Prior to approval of a trails/access plan within or adjacent to jurisdictional waters, the location, design, and text for urban-open space interface signage shall be developed. The signage shall be located at all pedestrian access points. The signage shall educate users on the responsibilities associated with the open space interface and shall address relevant issues including the role of natural predators in the wildlands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.	Prior to approval of a trails/access plan within or adjacent to jurisdictional waters	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		
BIO-7 Prior to the issuance of building permits, the project applicant and/or subsequent builder shall prepare an urban-open space interface brochure to be approved by the Long Beach Development Services Department to educate residents on the responsibilities associated with living near sensitive biological habitat. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of human and domestic pets on native communities and their inhabitants, including the "Light's Out for Birds" programs. The approved brochure, along with attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for future developments.	Prior to the issuance of building permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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<p>BIO-8 If construction is proposed between January 15 to September 1st, a qualified biologist must conduct a nesting bird survey(s) no more than three days prior to initiation of construction activities to document the presence or absence of nesting birds in or adjacent to the project site. The preconstruction survey(s) will focus on identifying any raptors and/or passerines nests that may be directly or indirectly affected by construction activities. Any nest permanently vacated for the season would not warrant protection pursuant to the Migratory Bird Treaty Act. If active nests are documented, the following measures are required:</p> <ul style="list-style-type: none"> <li>Species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities are restricted from the area.</li> <li>A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the Long Beach Development Services Department prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur.</li> <li>A final report of the findings, prepared by a qualified biologist, shall be submitted to the Long Beach Development Services Department prior to construction-related activities that have the potential to disturb any active nests during the nesting season.</li> </ul>	No more than three days prior to initiation of construction activities	Project Applicant/ Developer and a qualified biologist	Long Beach Development Services Department	Long Beach Development Services Department		

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<b>5.5 CULTURAL RESOURCES</b>						
CUL-1	Future development or redevelopment projects on or near buildings or structures 45 years of age or older shall require an intensive-level historical evaluation. Prior to issuance of grading permits, the project applicant/developer shall prepare the evaluation in accordance with all applicable federal, state, and local guidelines for evaluating historical resources. If, based on the evaluation of the property, it is determined that the proposed development or redevelopment project will have a substantial adverse effect on a historical resource (i.e., it would reduce its integrity to the point that it would no longer be eligible for inclusion in the California Register of Historical Resources or in the list of Long Beach Landmarks), then the provisions of Mitigation Measure CUL-2 shall be implemented by the property owner or project applicant/developer to eliminate or reduce the project's impact on historical resources.	Prior to issuance of grading permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department	
CUL-2	If, based on the intensive-level historical evaluation required under Mitigation Measure CUL-1, it is determined that the proposed development or redevelopment project will have a substantial adverse effect on a historical resource, the City of Long Beach shall require the property owner or project applicant/developer to implement the following measures: A. Rehabilitation According to the Secretary of the Interior's Standards 1. If the proposed project includes renovation, alteration, or an addition to a historical resource (not including total demolition), then the property owner or project applicant/developer shall first seek to design all proposed renovation, alterations, or additions to the historical resource in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation (Standards), found at: <a href="http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm">http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm</a> .	Prior to any disturbance of a historical resource, as determined by the intensive-level historical evaluation of a property	Property Owner or Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department	

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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<p>a. Plans for rehabilitation shall be created under the supervision of a professional meeting the Department of Interior's Professional Qualifications Standards in Architectural History or Historic Architecture and be designed by a licensed architect with demonstrated historic preservation experience.</p> <p>b. Plans shall be reviewed in the schematic design phase prior to any construction work, as well as in the 60 and 90 percent construction documents phases, for compliance with the Standards by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards with demonstrated experience with the Standards compliance reviews.</p> <p>c. The qualified historic preservation professional reviewing the plans shall create a technical memo at each phase and submit the memo to the City of Long Beach Development Services Department for concurrence.</p> <p>d. At the discretion of the City, a detailed character-defining features analysis and/or historical resource treatment plan may need to be prepared for select historical resources by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards if the nature of the project or the significance of the property warrants such detailed analysis.</p> <p>e. A qualified historic preservation professional shall monitor construction activities at key milestones to ensure that the work to be conducted complies with the Standards. The milestones shall be agreed upon in advance by the City and property owner or project applicant/developer.</p> <p>f. City staff and the qualified historic preservation professional shall review the finished rehabilitation/renovation in person upon completion.</p> <p>g. In the event that any historical resource(s) are leased to</p>						

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<p>third-party tenants and tenant improvements will be made, all of the terms of this stipulation shall be disclosed in the lease agreements, agreed upon in writing, and mutually enforced by the property owner or project applicant/developer and the City. The tenants shall not be permitted to conduct work that does not comply with the Standards.</p> <p>B. Retention/On-Site Relocation- For Proposed Demolition</p> <ol style="list-style-type: none"> <li>1. If the proposed project includes total demolition of a historical resource, the property owner or project applicant/developer shall first consider an alternative that retains the historical resource and incorporates it into the overall project development as an adaptive re-use of the building.</li> <li>2. If the project site permits, the historical resource should be relocated to another location on the site, and the resource should be reincorporated into the overall project.</li> <li>3. If the City determines that retention/onsite relocation of the historical resource is not feasible through a credible feasibility study, the City shall elect to allow the property owner or project applicant/developer to move forward with the development/redevelopment project; however, all other requirements outlined in this mitigation measure shall apply.</li> </ol> <p>C. Third Party Sale</p> <ol style="list-style-type: none"> <li>1. If the City determines that retention or onsite relocation of the historical resource is not feasible, then the property owner or project applicant/developer shall offer any historical resources scheduled for demolition to the public for sale and offsite relocation by a third party:                         <ol style="list-style-type: none"> <li>a. The historic resource(s) shall be advertised by the property owner or project applicant/developer at a minimum in the following locations: project applicant's/developer's website (if applicable); City of</li> </ol> </li> </ol>						



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<p>Long Beach website; Los Angeles Times website and print editions; Long Beach Press Telegram.</p> <p>b. The bidding period shall remain open for 60 days after the date of advertisement to allow adequate response time from interested parties.</p> <p>c. Qualified parties shall meet the following minimum qualifications to be considered a realistic buyer: possess adequate financial resources to relocate and rehabilitate the historical resource(s); possess an available location for the historical resource(s); and provide for a new use for the historical resource(s).</p> <p>d. The City shall approve the qualified buyer. If no such buyer comes forward within the allotted time frame, the City shall elect to issue a demolition permit for the historical resource. However, all other requirements outlined in this mitigation measure shall apply.</p> <p>D. Recordation</p> <p>1. The property owner or project applicant/developer shall create HABS-like Level II documentation prepared in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation. Information on the Standards and Guidelines is available at the following links:  <a href="http://www.nps.gov/history/local-law/arch_stnds_6.htm">http://www.nps.gov/history/local-law/arch_stnds_6.htm</a>.  <a href="http://www.nps.gov/history/hdp/standards/index.htm">http://www.nps.gov/history/hdp/standards/index.htm</a>.</p> <p>a. Photographs with large-format black-and-white negatives (4 inches by 5 inches or larger) of the property as a whole shall be provided; photocopies with large format negatives of select existing drawings, site plans, or historic views where available. A minimum of 12 views showing context and relationship of historical resources to each other shall be provided; aerial views showing the whole property shall also be provided.</p>						

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b. Written historical descriptive data, index to photographs, and photo key plan shall be provided. c. The above items shall be created by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards with demonstrated experience in creating HABS Level II documentation. d. The above items shall be created prior to any demolition or relocation work. e. The above items shall be distributed to the following repositories for use by future researchers and educators. Before submitting any documents, each of the following repositories shall be contacted to ensure that they are willing and able to accept the items: City of Long Beach Public Library; Long Beach Historical Society; Los Angeles Public Library; South Central Coastal Information Center at California State University, Fullerton; and City of Long Beach Development Services Department (building files). E. Salvage and Reuse 1. If offsite relocation of the historical resource by a third party is not accomplished, the property owner or project applicant/developer shall create a salvage and reuse plan identifying elements and materials of the resource that can be saved prior to any demolition work. a. The salvage and reuse plan shall be included in bid documents prepared for the site and shall be created by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards with demonstrated experience in creating salvage and reuse plans. b. Elements and materials that may be salvageable include windows; doors; roof tiles; decorative elements;						

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<p>bricks, foundation materials, and/or paving materials; framing members; furniture; lighting; and flooring materials, such as tiles and hardwood.</p> <p>2. The property owner or project applicant/developer shall identify individuals, organizations, or businesses interested in receiving the salvaged items; these may include Habitat for Humanity Restore; other affordable housing organizations; or salvage yards. The following steps shall be taken by the property owner or project applicant/developer:</p> <p>a. Identification of the individuals, organizations, or businesses interested in receiving the salvaged items shall be completed in consultation with the City.</p> <p>b. Identification of the individuals, organizations, or businesses interested in receiving the salvaged items shall be accomplished by contacting potentially interested parties directly first.</p> <p>c. Items to be salvaged shall be advertised in the following locations for a period of 60 days if none of the contacted parties are able to receive the items: Los Angeles Times and Long Beach Press Telegram.</p> <p>3. The property owner or project applicant/developer shall remove salvageable items in the gentlest, least destructive manner possible. Historic materials and features shall be protected by storing salvaged items in indoor, climate- and weather-controlled conditions until recipients can retrieve them. The removal of salvageable items shall be performed by a licensed contractor with demonstrated experience with implementing salvage and reuse plans.</p> <p>F. Other Optional Interpretive, Commemorative, or Educational Measures</p> <p>The City may also elect to require additional (optional) mitigation measures crafted in response to a specific historical resource's</p>						

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**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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property type or significance, association with a specific historic person, or overall value to the community, as practical, so long as the measure is commensurate with the significance of the property and the level of impact to that resource. Such measures may include educational or interpretive programming; signage; incorporation of historical features into new developments or public art; contribution to a mitigation fund for future historic preservation efforts; written histories or contexts important to the public's understanding of the lost resource (presuming no other extant resource can interpret such significance); etc. The need for these additional measures shall be determined by the City on a case-by-case basis and incorporated into the conditions of approval for the project. Some measures may be made available to the public through museum displays, written reports at research repositories, on- or offsite signage, or existing online multimedia sites.						

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Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
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<p>CUL-3 Prior to the issuance of grading permits, and for any subsequent permit involving excavation to increased depth, the project applicant for each development or redevelopment project considered for approval pursuant to the Southeast Area Specific Plan shall provide letters to the City of Long Beach from a qualified archaeologist and paleontologist (for excavations five feet below ground surface and deeper) who meet the Secretary of the Interior's Professional Qualifications Standards. The letters shall state that the project applicant has retained these individuals, and that the archaeological consultant will be present during all grading in previously undisturbed areas and other significant ground-disturbing activities and that the paleontological consultant will be present during all grading that occurs below 5 feet from the ground surface. In the event archeological or paleontological resources are discovered during ground-disturbing activities, the professional archeological or paleontological monitor shall have the authority to halt any activities adversely impacting potentially significant cultural resources until they can be formally evaluated. Suspension of ground disturbances in the vicinity of the discoveries shall not be lifted until the archaeological and/or paleontological monitor, in coordination with the construction contractor, has evaluated discoveries to assess whether they are significant cultural resources, pursuant to the California Environmental Quality Act (CEQA). If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies. The resources shall be offered for curation or preservation to a repository with a retrievable collection system and an educational and research interest in the materials, such as the Los Angeles County Museum of Natural History or California State University, Fullerton, or other local museum or repository. If no museum or repository is willing to accept the resource, the resource shall be considered the property of the City and may be stored, disposed of, transferred, exchanged, or otherwise handled by the City at its discretion.</p>	<p>Prior to the issuance of grading permits, and for any subsequent permit involving excavation to increased depth</p>	<p>Project Applicant/ Developer</p>	<p>Long Beach Development Services Department</p>	<p>Long Beach Development Services Department</p>		

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**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
CUL-4 At least 30 days prior to ground disturbance by each project development or redevelopment in conformance with the Specific Plan, the City of Long Beach would notify the three Native American tribal representatives who requested Native American monitoring of ground-disturbing activities (Gabrieleño Band of Mission Indians Kizh Nation, Gabrieleño/Tongva Band of Mission Indians, and Juaneño Band of Mission Indians Acjachemen Nation). For each project, the project applicant would retain one certified Native American monitor who would accompany the professional archaeological monitor during on-call monitoring. The Native American monitor would have the same authority to halt activities that could adversely impact archaeological or tribal cultural resources that the professional archaeological monitor would. The Native American monitor would recommend measures to avoid, preserve, and/or recover Native American archaeological and/or tribal cultural resources, as practicable, and would convey such resources to the pertinent tribe or most likely descendant, as applicable.	At least 30 days prior to ground disturbance	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		
CUL-5 Any development that is proposed on undeveloped or vacant land shall prepare a Phase I Cultural Resources Investigation prior to the issuance of grading permits. The cultural report shall be prepared by a qualified archeologist consistent with the most recent standards and guidelines. The report shall set forth criteria for evaluating the significance of resources discovered during construction and identify appropriate data recovery methods and procedures to mitigate project impacts on significant resources. At a minimum, the report shall include a summary of available information on known sites and sensitive locations in the project area; a historical context for the evaluation of resources that may be encountered during construction; data requirements and the appropriate field and laboratory methods to be used to acquire data needed for significance evaluation and impact mitigation. The report will also identify specific locations where cultural resources monitors would be required during grading and identify reporting and curating requirements for artifacts uncovered during	Prior to the issuance of grading permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
construction.						
CUL-6 If human remains are encountered during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the county coroner has made the necessary findings as to origin and disposition, pursuant to Public Resources Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the most likely descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. Preservation of the remains in place or project design alternatives shall be considered.	Within 24 hours of discovering human remains of Native American descent	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		

## Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<b>5.8 HAZARDS AND HAZARDOUS MATERIALS</b>						
HAZ-1	Prior to the issuance of grading permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		
<p>Prior to the issuance of grading permits for individual development projects within the Southeast Area Specific Plan, the project applicant/developer shall submit a Phase I Environmental Site Assessment (ESA) to the City of Long Beach Development Services Department to identify environmental conditions of the development site and determine whether contamination is present. The Phase I ESA shall be prepared by an Environmental Professional in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527.13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. If recognized environmental conditions related to soils or groundwater are identified in the Phase I ESA, the project applicant shall perform soil and soil gas sampling, as required, as a part of a Phase II ESA. If contamination is found at significant levels, the project applicant shall remediate all contaminated soils with the oversight and in accordance with state and local agency requirements (California Department of Toxic Substances Control, Regional Water Quality Control Board, Long Beach Fire Department, etc.). All contaminated soils and/or material encountered shall be disposed of at a regulated site and in accordance with applicable laws and regulations prior to the completion of grading. Prior to the issuance of building permits, a report documenting the completion, results, and any follow-up remediation on the recommendations, if any, shall be provided to the City of Long Beach Development Services Department evidencing that all site remediation activities have been completed.</p>						



Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
HAZ-2 If soil is encountered during Project area development that is suspected of being impacted by hazardous materials, work at the subject construction activity area shall be halted, and the suspect site conditions shall be evaluated by a qualified environmental professional. The results of the evaluation shall be submitted to the Department of Toxic Substances Control (DTSC), or the Los Angeles Regional Water Quality Control Board (RWQCB) or other applicable oversight agency, as appropriate, and the necessary response/remedial measures shall be implemented—as directed by DTSC, RWQCB, or other applicable oversight agency—until all specified requirements of the oversight agencies are satisfied and a no further action status is attained.	During grading activities	Project Applicant/ Developer	Long Beach Development Services	Long Beach Development Services		

## Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<p>HAZ-3 Prior to the issuance of demolition permits for any buildings or structures, the project applicant/developer shall conduct the following inspections and assessments for all buildings and structures onsite and shall provide the City of Long Beach Development Services Department with a copy of the report of each investigation or assessment.</p> <ul style="list-style-type: none"> <li>The project applicant shall retain a California Certified Asbestos Consultant (CAC) to perform abatement project planning, monitoring (including air monitoring), oversight, and reporting of all asbestos-containing materials (ACM) encountered. The abatement, containment, and disposal of all ACM shall be conducted in accordance with the South Coast Air Quality Management District's Rule 1403 and California Code of Regulation Title 8, Section 1529 (Asbestos).</li> <li>The project applicant shall retain a licensed or certified lead inspector/assessor to conduct the abatement, containment, and disposal of all lead waste encountered. The contracted lead inspector/assessor shall be certified by the California Department of Public Health (CDPH). All lead abatement shall be performed by a CDPH-certified lead supervisor or a CDPH-certified worker under the direct supervision of a lead supervisor certified by CDPH. The abatement, containment, and disposal of all lead waste encountered shall be conducted in accordance with the US Occupational Safety and Health Administration Rule 29; CFR Part 1926; and California Code of Regulation, Title 8, Section 1532.1 (Lead).</li> <li>Evidence of the contracted professionals attained by the project applicant shall be provided to the City of Long Beach Development Services Department. Additionally, contractors performing ACM and lead waste removal shall provide evidence of abatement activities to the City of Long Beach Building and Safety Bureau.</li> </ul>	Prior to the issuance of demolition permits	Project Applicant/ Developer	Long Beach Development Services	Long Beach Development Services		

Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
<b>5.9 HYDROLOGY AND WATER QUALITY</b>						
HYD-1 Prior to the issuance of permits for any development or redevelopment projects pursuant to the Southeast Area Specific Plan, the City of Long Beach shall ensure that the following drainage improvements are fully funded for and implemented: <ul style="list-style-type: none"> <li>• Any development or redevelopment project that would impact existing storm drain facilities within the Southeast Area Specific Plan area (public and private) that is less than 24-inches in size shall fully fund upsizing of such facilities to a minimum 24-inch or greater pipe size as prescribed by City of Long Beach Public Works Department.</li> <li>• Any development or redevelopment project that would impact the four segments of City of Long Beach's storm drains in Pacific Coast Highway for which improvements were recommended by the 2005 Master Plan of Drainage Update shall fully fund upsizing of those storm drain segments as indicated below or other final size as prescribed by City of Long Beach Public Works Department.                             <ul style="list-style-type: none"> <li>▪ Segments 220835 and 220015 to 30 inches;</li> <li>▪ Segment 220805 to 54 inches;</li> <li>▪ Segment 220710 to 84 inches.</li> </ul> </li> <li>• Any development or redevelopment project that would impact the four segments of City of Long Beach's storm drains in Seville Way (Segment 220810) for which improvements were recommended by the 2005 Master Plan of Drainage Update shall fully fund upsizing of that storm drain segment to 48 inches or other final size as prescribed by City of Long Beach Public Works Department.</li> </ul>	Prior to the issuance of grading or building permits	Long Beach Development Services Department in coordination with Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		

## Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
HYD-2 Prior to the issuance of grading permits for any development or redevelopment projects pursuant to the Southeast Area Specific Plan, project applicants/developers of such projects shall prepare a site-specific hydrology and hydraulic study of the on-site and immediate off-site storm drain systems to determine capacity and integrity of the existing systems. The hydrology and hydraulic study shall be submitted to City of Long Beach Public Works Department for review and approval.	Prior to the issuance of grading or building permits	Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		
HYD-3 The project applicant/developer of each development or redevelopment project that would be accommodated by the Southeast Area Specific Plan shall request the "allowable discharge rate" – which limits peak flow discharges as compared to existing conditions based on regional flood control constraints – from the Los Angeles County Department of Public Works, and shall comply with such discharge rate. Compliance with the "allowable discharge rate" shall be demonstrated in the hydrology and hydraulic study to be completed pursuant to Mitigation Measure HYD-2.	Prior to the issuance of grading or building permits	Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		
HYD-4 The project applicant/developer, architect, and construction contractor for each development or redevelopment project that would be accommodated by the Southeast Area Specific Plan shall incorporate low-impact development (LID) best management practices (BMPs) within the respective project, providing for water quality treatment and runoff reduction and/or detention in accordance with local stormwater permit requirements.	Prior to the issuance of grading or building permits	Project Applicant/ Developer, Architect, and Construction Contractor	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		
HYD-5 Upon submission of development applications for development projects in the tsunami inundation zone (as identified in the City's Natural Hazards Mitigation Plan) the Development Services Department shall provide project applicants with tsunami awareness and preparedness materials.	During development applications	Long Beach Development Services Department	Long Beach Development Services Department	Long Beach Development Services Department		

Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
HYD-6 Prior to certificate of occupancy, project applicants and developers shall demonstrate to the Development Services Department that lease agreements and disclosures provided to homeowners and tenants disclose that those parties would be in a tsunami inundation zone (as identified in the City's Natural Hazards Mitigation Plan). This notification shall include tsunami awareness and preparedness materials as well as information outlining applicable evacuation plans and routes.	Prior to certificate of occupancy	Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		
<b>5.12 NOISE</b>						
N-1 Prior to issuance of demolition, grading, and/or building permits for development projects accommodated by the Southeast Area Specific Plan, a note shall be provided on development plans indicating that ongoing during grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise: <ul style="list-style-type: none"> <li>• Construction activity is limited to the daytime hours between 7 AM to 7 PM on Monday through Friday and 9 AM to 6 PM on Saturday, as prescribed in the City's municipal code. Construction is prohibited on Sundays.</li> <li>• All internal combustion engines on construction equipment and trucks are fitted with properly maintained mufflers.</li> <li>• Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.</li> <li>• Stockpiling is located as far as feasible from nearby noise-sensitive receptors.</li> <li>• Construction traffic shall be limited to the haul routes established by the City of Long Beach.</li> </ul>	Prior to issuance of demolition, grading, and/or building permits	Project Applicant/ Developer and Architect	Long Beach Development Services Department	Long Beach Development Services Department		

## Mitigation Monitoring and Reporting Program

**Table 1-3 Mitigation Monitoring and Reporting Requirements**

Mitigation Measure	Timing	Responsible Implementing Party	Responsible Monitoring Party	Document Location (Monitoring Record)	Completion Date	
					Responsible Monitoring Party	Project Mitigation Monitor
N-2 Prior to issuance of a building permit for any development project requiring pile driving or blasting, the project applicant/developer shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. The maximum levels shall not exceed 0.2 inch/second, which is the level that can cause architectural damage for typical residential construction. If maximum levels would exceed these thresholds, alternative methods such as static rollers, nonexplosive blasting, and drilling piles as opposed to pile driving shall be used..	Prior to the issuance of building permits	Project Applicant/ Developer	Long Beach Development Services Department	Long Beach Development Services Department		
N-3 Prior to issuance of a building permit for projects involving the development of new industrial uses within 200 feet of any existing residential use, the property owner/developer shall retain an acoustical engineer to conduct an acoustic analysis that includes a vibration analysis for potential impacts from vibration generated by industrial activities. The detailed acoustical analysis shall be submitted to the City of Long Beach Development Services Department for review and shall demonstrate that the vibration levels at any nearby residential use would be below 78 VdB during the daytime (7 AM to 10 PM) and 72 VdB during the nighttime (10 PM to 7 AM), which are the Federal Transit Administration's daytime and nighttime criteria to regulate general vibration impacts at affected residential uses.	Prior to the issuance of building permits	Project Applicant/ Developer and Acoustical Engineer	Long Beach Development Services Department	Long Beach Development Services Department		

Mitigation Monitoring and Reporting Program

**5.16 TRANSPORTATION AND TRAFFIC**

TRAF-1	<p>Prior to the issuance of the first building permit pursuant to the proposed Project, the City of Long Beach shall update the City's traffic mitigation fee program to include the improvements outlined in Mitigation Measure TRAF-3. The City shall prepare a "nexus" study that will serve as the basis for requiring development impact fees under AB 1600 legislation, as codified by California Code Government Section 66000 et seq., to support changes under consideration for the SEASP. The established procedures under AB 1600 require that a "reasonable relationship" or nexus exist between the traffic improvements and facilities required to mitigate the traffic impacts of new development pursuant to the proposed Project. Traffic improvements and facilities necessary to mitigate the Project impacts shall be included, among other improvements, in the AB 1600 nexus study. The City's fee program shall be updated based on the nexus study. Fees are assessed when there is new construction, an increase in square footage in an existing building, or the conversion of existing square footage to a more intensive use. The development fees collected are applied toward circulation improvements and right-of-way acquisition. Fees are calculated by multiplying the proposed square footage, dwelling unit, or hotel room by the appropriate rate. Traffic mitigation fees are included with any other applicable fees payable at the time the building permit is issued. The City will use the traffic mitigation fees to fund construction (or to recoup fees advanced to fund construction) of the transportation improvements identified in Mitigation Measure TRAF-3.</p>	Prior to issuance of the first building permit	City of Long Beach	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		
TRAF-2	<p>As part of the subsequent environmental review for development projects that would be accommodated by the SEASP, a site-specific traffic study shall be prepared by the project applicant/developer to evaluate the project's potential traffic and transportation impacts consistent with the City of Long Beach Guidelines for Signalized Intersections and the Los Angeles County CMP Guidelines to identify specific improvements, as deemed necessary, to provide safe and efficient onsite circulation and access, and limit cut through traffic on adjacent neighborhoods. The traffic study for the first development project to be considered under the SEASP shall include an analysis of signal timing of 2nd Street through Naples to identify timing adjustments needed to improve signal synchronization. The traffic study shall be approved by the Public Works Department. Payment of fees, construction of improvements, and signal timing shall be implemented prior to issuance of a building permit.</p>	As part of the subsequent environmental review for development projects	Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		

## Mitigation Monitoring and Reporting Program

TRAF-3	<p>Prior to issuance of building permits for development projects that would be accommodated by the SEASP, project applicants/developers shall make fair-share payments to the City of Long Beach toward construction of the traffic improvements listed below. The following traffic improvements and facilities are necessary to mitigate impacts of the SEASP and shall be included in the City's fee mechanism(s):</p> <p><b>Existing With Project Improvements</b></p> <p>Studebaker Road &amp; SR-22 Westbound Ramps: Construct a spiral striped roundabout with two circulating lanes, with a southbound slip (bypass) lane. The southbound approach would be striped with two through lanes and one shared through-left turn lane; the westbound approach would have two left turn lanes and one right turn slip lane; and the northbound approach would have two through lanes and one right turn slip lane. This measure would be funded through the City of Long Beach Capital Improvement Plan (CIP) and fair-share contributions from area developments.</p> <ul style="list-style-type: none"> <li>• <b>3. Studebaker Road &amp; SR-22 Westbound Ramps:</b> Construct a spiral striped roundabout with two circulating lanes, with a southbound slip (bypass) lane. The southbound approach would be striped with two through lanes and one shared through-left turn lane; the westbound approach would have two left turn lanes and one right turn slip lane; and the northbound approach would have two through lanes and one right turn slip lane. This measure would be funded through the City of Long Beach Capital Improvement Plan (CIP) and fair-share contributions from area developments. Alternatively, the intersection could remain signalized with the following improvements: <ul style="list-style-type: none"> <li>• Modify the westbound approach from two left turn lanes and one right turn lane, to three left turn lanes and one right turn lane.</li> <li>• Modify the southbound approach from one left turn lane and one through lane, to one left turn lane and three through lanes.</li> <li>• Optimize the AM and PM signal cycle lengths and splits.</li> </ul> </li> <li>• <b>17. Shopkeeper Road &amp; 2nd Street:</b> This intersection would require the following improvements: <ul style="list-style-type: none"> <li>• Modify the northbound approach from one shared through-left turn lane and one right turn lane, to one shared through-left turn lane and two right turn lanes.</li> </ul> </li> </ul>	Prior to the issuance of occupancy permits	Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		
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Mitigation Monitoring and Reporting Program

<ul style="list-style-type: none"> <li>Modify the westbound approach from one left turn lane, two through lanes, and one shared through-right turn lane, to two left turn lanes, two through lanes, and one shared through-right turn lane.</li> </ul> <ul style="list-style-type: none"> <li><b>27. 2nd Street &amp; Bay Shore Ave Avenue:</b> This intersection would require the following improvements:             <ul style="list-style-type: none"> <li>Reconfigure the northbound approach to provide a dedicated left-turn lane, and a shared through/right-turn lane.</li> <li>Add a southbound right-turn lane.</li> <li>Add an eastbound right-turn lane and restripe the shared through/right-turn lane as a through lane.</li> </ul> </li> </ul> <p><b>Cumulative Year (2035) With Project Improvements</b></p> <ul style="list-style-type: none"> <li><b>3. and 11. Studebaker Road &amp; SR-22 West- and Eastbound Ramps:</b> Construct a spiral striped roundabout with two circulating lanes, with a southbound slip (bypass) lane. The southbound approach would be striped with two through lanes and one shared through-left turn lane; the westbound approach would have two left turn lanes and one right turn slip lane; and the northbound approach would have two through lanes and one right turn slip lane. This measure would be funded through the City of Long Beach Capital Improvement Plan (CIP). Alternatively, the intersection could remain signalized and with the following improvements:             <ul style="list-style-type: none"> <li>Modify the westbound approach from two left turn lanes and one right turn lane, to three left turn lanes and one right turn lane.</li> <li>Modify the northbound approach from one through lane and one shared through-right turn lane, to two through lanes and one shared through-right turn lane.</li> <li>Modify the southbound approach from one left turn lane and one through lane, to one left turn lane and three through lanes.</li> <li>Optimize the AM and PM signal cycle lengths and splits.</li> </ul> </li> <li><b>15. Marina Drive &amp; 2nd Street:</b> This intersection would require the following improvements:             <ul style="list-style-type: none"> <li>Modify the northbound approach from one left turn lane, one</li> </ul> </li> </ul>						
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## Mitigation Monitoring and Reporting Program

<p>shared through-left turn lane, one through lane, and one right turn lane, to two left turn lanes, one through lane, and one right turn lane.</p> <ul style="list-style-type: none"> <li>• Modify the southbound approach from one left turn lane, one shared through-left turn lane, and one right turn lane, to two left turn lanes, one through lane, and one right turn lane.</li> <li>• Modify the westbound approach from one left turn lane, two through lanes, and one shared through-right turn lane, to two left turn lanes, two through lanes, and one shared through-right turn lane.</li> </ul> <ul style="list-style-type: none"> <li>• <b>17. Shopkeeper Road &amp; 2nd Street:</b> This intersection would require the following improvements:             <ul style="list-style-type: none"> <li>• Modify the westbound approach from one left turn lane, two through lanes, and one shared through-right turn lane, to two left turn lanes, two through lanes, and one shared through-right turn lane.</li> <li>• Modify the eastbound approach from one left turn lane, two through lanes, and one shared through-right turn lane, to one left turn lane, three through lanes, and one right turn lane.</li> </ul> </li> <li>• <b>20. PCH &amp; Studebaker Road:</b> This intersection would require the following improvements:             <ul style="list-style-type: none"> <li>• Modify the southbound approach from one left turn lane, two through lanes, one right turn lane, and one right turn lane, to one left turn lane, three through lanes, one right turn lane.</li> <li>• Optimization of the PM signal cycle lengths and splits.</li> </ul> </li> </ul>						
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Mitigation Monitoring and Reporting Program

TRAF-4	<p>Prior to issuance of building permits for development projects that would be accommodated by the SEASP, project applicants/developers shall make fair-share payments to the City of Seal Beach toward construction of the traffic improvement listed below. Fair-share payments shall occur through either: 1) an agreement between the developer and City of Seal Beach to pay fair share funding for the improvement or 2) payment to the City of Seal Beach traffic mitigation fee program that is based on nexus requirements contained in the Mitigation Fee Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. § 15126.4(a)(4). The traffic mitigation fee program must include the intersection improvements identified below. If the City's traffic fee program has not incorporated the intersections identified below at the time of building permits and the applicant has made reasonable efforts to contribute its fair share, then project applicants shall have no further obligation to comply with this mitigation measure.</p> <ul style="list-style-type: none"> <li>• <b>9. Seal Beach Boulevard &amp; 2nd Street/Westminster Boulevard:</b> Modify the northbound approach from having one left turn lane, two through lanes, and one shared through-right turn lane, to having one left turn lane, three through lanes, and one right turn lane.</li> <li>• <b>22. PCH &amp; Seal Beach Boulevard:</b> This intersection would require three through lanes on the northbound approach.</li> </ul>	Prior to the issuance of occupancy permits	Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		
TRAF-5	<p>Prior to issuance of grading permits for development projects that would be accommodated by the SEASP, project applicants/developers shall prepare a construction management plan. The construction management plan shall be approved by the City of Long Beach Public Works Department. The construction management plan shall identify construction hours, truck routes, travel patterns for haul routes, staging and parking areas, staggered worker arrival times, and safety procedures for pedestrians and cyclists. The construction management plan shall prohibit the use of heavy construction vehicles during peak hours. The plan shall also require the construction contractor to implement the following measures during construction activities, which shall be discussed at the pre-grading conference/meeting:</p> <ul style="list-style-type: none"> <li>• Minimize obstruction of through-traffic lanes and provide temporary traffic controls, such as a flag person, during all roadway improvement activities to maintain adequate access for</li> </ul>	Prior to the issuance of grading permits	Project Applicant/ Developer	Long Beach Development Services and Public Works Departments	Long Beach Development Services Department		

### Mitigation Monitoring and Reporting Program

<p>emergency vehicles and personnel.</p> <ul style="list-style-type: none"> <li>Develop a traffic plan to minimize interference for emergency vehicles and personnel from demolition and construction activities (e.g., advanced public notice of demolition and construction activities)</li> </ul>						
<p>TRAF-6 Prior to issuance of the first the occupancy permits for development projects that would be accommodated by the SEASP, the City and Caltrans shall jointly identify feasible operational and physical improvements and the associated fair-share funding contribution necessary to mitigate Project-related impacts to state transportation facilities. In the event that Caltrans prepares a valid study, as defined below, that identifies fair share contribution funding sources attributable to and paid from private and public development to supplement other regional and State funding sources necessary undertake improvements to the I-22, I-605, and I-405, in the Project study area, then the project applicant shall use reasonable efforts to pay the applicable fair share amount to Caltrans.</p> <p>The study shall be reviewed and approved by the California Transportation Commission. It shall include fair share contributions related to private and or public development based on nexus requirements contained in the Mitigation Fee Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. § 15126.4(a)(4) and, to this end, the study shall recognize that impacts to Caltrans I-22, I-605, and I-405 facilities that are not attributable to development located within the City of Long Beach are not required to pay in excess of such developments' fair share obligations. The fee study shall also be compliant with Government Code § 66001(g) and any other applicable provisions of law. The study shall set forth a timeline and other relevant criteria for implementation of the recommendations contained within the study to the extent the other agencies agree to participate in the fee study program.</p> <p>In the event the study has been prepared, project applicants shall use reasonable efforts to pay the fair share amount to Caltrans. If Caltrans chooses to accept the project applicant's fair share payment, Caltrans shall apply the payment to the fee program adopted by Caltrans or agreed upon by the City and Caltrans as a result of the fair share fee study. Caltrans shall only accept the fair share payment if the fair share</p>	<p>Prior to the issuance of the first occupancy permits</p>	<p>City of Long Beach</p>	<p>Long Beach Development Services and Public Works Departments</p>	<p>Long Beach Development Services Department</p>		

Mitigation Monitoring and Reporting Program

fee study has been completed. If, within five years from the date that the first building permit is issued for the Project, Caltrans has not completed the fair share fee study, then project applicants shall have no further obligation to comply with this mitigation measure						
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## Mitigation Monitoring and Reporting Program

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## LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Long Beach City Councilmember, City Officer, and Commissioner ("City Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$250 within the previous twelve months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a City Officer that has received such a contribution to disclose the contribution on the record of the proceeding.

City Officers are listed at the following sites:

- Councilmembers - <https://www.longbeach.gov/officials/>
- Harbor Commissioners - <https://polb.com/commission>
- Water Commissioners - <https://lbwater.org/about-us/current-water-commissioners/>
- Planning Commissioners - <https://www.longbeach.gov/lbds/planning/commission/members/>
- Parks and Recreation Commissioners - <https://www.longbeach.gov/park/business-operations/citizen-commission/parks-and-recreation-commission/>
- Board of Examiners, Appeals, and Condemnation - <https://www.longbeach.gov/lbds/enforcement/beac/>
- Cultural Heritage Commission - <https://www.longbeach.gov/lbds/planning/preservation/chc/>
- Long Beach Community Investment Company - <https://www.longbeach.gov/lbds/hn/lbcic/>

**Proposers are responsible for accessing these links to review the names prior to answering the following questions.**

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any City Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

8/24/23

Date

Hunter Weaver Digitally signed by Hunter Weaver  
Date: 2023.08.24 08:53:04-07'00'

Signature of authorized individual

Hunter Weaver

Type or write name of authorized individual

Carmel Partners

Type or write name of company