



# Enhanced Density Bonus Ordinance Proposed Modifications

City Council Public Hearing – September 19, 2023

# Ordinance History

- **October 5, 2021** - The Long Beach City Council approved Ordinance No. ORD-21-0034 adding Chapter 21.68 to Title 21 of the Long Beach Municipal Code (LBMC) and amending Subsection 21.25.506.A.7 of the LBMC related to establishing an Enhanced Density Bonus (EDB) program.
- **December 28, 2021** – City submitted the Local Coastal Program Amendment (LCPA) request to the California Coastal Commission (Coastal Commission).
- **June 8, 2023** – Coastal Commission approved the LCPA with three required modifications.

# Coastal Commission Action: June 8, 2023 Hearing

- Recommended approval of LCPA to adopt Ordinance with three modifications:
  - Modifications must be adopted by the City Council and submitted to the Coastal Commission within six months of the June 8, 2023, hearing date.
  - Modifications included revisions to Title 21 of the LBMC.

# Overview of Modifications

- **Modification 1:** Remove references to regulations that are not currently part of or proposed to be added to the certified Local Coastal Program (LCP) and clarify that density bonus projects must comply with the certified LCP in the coastal zone.
- **Modification 2:** Ensure density bonus concessions/incentives do not adversely impact coastal resources, including public access opportunities.
- **Modification 3:** Fix typographical error.

# Required Local Coastal Development Permit Findings

The required findings shall include:

- Analysis if the requested concessions will result in significant adverse impacts to coastal resources, including but not limited to public access and environmentally sensitive habitat area, and if found consistent with the resource protection policies of the certified LCP.

# California Environmental Quality Act (CEQA)

- The proposed modifications are necessary for certification of the LCPA by the Coastal Commission. No additional action is required for environmental review.
- In accordance with California Environmental Quality Act (CEQA), Public Resources Code Section 21080.9 and California Code of Regulations Section 15265(a)(1), the proposed modifications are statutorily exempt as CEQA does not apply to activities and approvals by the City necessary for the preparation and adoption of an LCPA.
- The previously approved ordinance was analyzed in accordance with CEQA and the State CEQA Guidelines, an Initial Study/Negative Declaration (IS/ND) was accepted by the City Council.
  - The proposed adoptions under current consideration fall within the scope of the previously accepted IS/ND for the EDB Ordinance, and no further environmental review is required. The proposed amendments to the ordinance would not change the environmental setting or circumstances of the previously approved ordinance (project).

# Next Steps

- Upon the City Council approval, City staff will resubmit the revisions to the Coastal Commission within the six month timeframe
- The Coastal Commission will hold a hearing for LCPA certification
- Upon Coastal Commission certification, the ordinances will be in effect in the Coastal Zone
- Future entitlements that are submitted after EDB is certified would be eligible for EDB

# Recommendation

Receive supporting documentation into the record, conclude the public hearing, find the Municipal Code amendments consistent with the previously accepted Initial Study/Negative Declaration (ND 08-20) and find the Municipal Code amendments exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.9 and Cal. Code Regs. Tit. 14, Section 15265;

Declare Ordinance approving a Zoning Code Amendment amending Title 21, Zoning Regulations, of the Long Beach Municipal Code, to implement modifications requested by the California Coastal Commission, read the first time and laid over to the next regular meeting of the City Council for final reading; and,

Adopt a Resolution authorizing the City Manager, or designee, to submit the Local Coastal Program Amendment (LCP-5-LOB-21-0088-2) and associated materials to the California Coastal Commission for its review and certification in compliance with the California Coastal Commission's June 8, 2023, action. (Citywide)





Thank you

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