

September 19, 2023

H-18

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

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)

DISCUSSION

In accordance with the California Coastal Act of 1976 (Coastal Act), the City of Long Beach (City) has a certified Local Coastal Program (LCP), which consists of the Land Use Plan and Implementation Plan (IP). The IP includes the Zoning Code (Title 21 of the Long Beach Municipal Code [LBMC]), the Zoning Map, and the Subdivision Code.

On October 5, 2021, the City Council adopted Ordinance No. ORD-21-0034 adding Chapter 21.68 to Title 21 of the LBMC and amending Subsection 21.25.506.A.7 of the LBMC, related to establishing an Ordinance for an Enhanced Density Bonus (EDB) program. On September 14, 2021, the City Council approved Resolution No. RES-21-0113 directing the Director of Development Services to submit a Local Coastal Program Amendment (LCPA) for the approved Ordinance to the California Coastal Commission (CCC) for a finding of conformance with the Certified LCP.

On June 8, 2023, the CCC held a public hearing for the LCPA (LCP-5-LOB-21-0088-2) (Attachment A) and recommended certification of the LCPA with three (3) requested modifications pertaining to references to non-certified provisions of the LBMC, clarification for required consistency with LCP and protection of coastal resources, and corrections to typographical errors (Attachment B). The recommended modifications to the LBMC require the approval of the City Council prior to resubmittal to the CCC for its subsequent approval and certification.

The City Council's discretion in this matter is to either accept or reject the modifications requested by the CCC, as no further changes are possible at this stage in the CCC review process without starting anew and submitting an entirely new application to the CCC. In order for the LCPA to be approved and certified by the CCC, the City Council must take action to accept the requested modifications. If adopted, the Ordinance will be forwarded to the CCC for final approval and certification. If the modifications are rejected, the City will need to submit an entirely new application to the CCC for review. The requisite findings to support implementation of the CCC's requested modifications are included for the EDB Ordinance (Attachment C).

More specifically, the proposed modifications requested by the CCC are intended to provide consistency with the LCP and the Coastal Act. The following is a summary of the modifications - the entirety of requested modifications can be found in Attachment B:

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

The requested modifications do not substantially change the approved ordinances but add procedural requirements for properties in the Coastal Zone of the City related to coastal development permit findings, to ensure consistency with other restrictions already in place for properties in the Coastal Zone. The changes are also intended to protect visitor-serving resources and public access in the Coastal Zone, which is an established goal of the CCC.

The modifications to Chapters 21.25 and 21.68 are included in Title 21 of the LBMC and the IP of the City (Attachment D).

Public Hearing Notice

In accordance with public hearing notification requirements for a Zoning Ordinance Amendment in LBMC Section 21.21.302.C, notice of this public hearing was published in the Long Beach Press-Telegram on September 5, 2023; written notices were sent to the CCC and to anyone requesting such notice. Notices were provided to City branch libraries and notice posting was provided at City Hall and at three public locations.

Environmental Review

In accordance with the Guidelines for Implementation of the 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 proposed modifications are necessary for certification of the LCPA by the CCC. No additional action is required for environmental review.

Pursuant to the CEQA and the State CEQA Guidelines, an Initial Study/Negative Declaration (IS/ND) was originally prepared for the ordinance (EDB Ordinance) and found that the project would not result in significant effects to the environment (Attachment E), as the proposed EDB Ordinance does not change the underlying zoning of any properties, does not introduce uses that are materially different from those otherwise permitted in the respective zoning districts and is a tool to facilitate the levels of development already contemplated by the 2019 Land Use Element (LUE) Update and analyzed in the LUE Program Environmental Impact Report. Individual projects will continue to be subject to project-level environmental review as required by CEQA. The major concepts of the proposed EDB Ordinance and the Negative Declaration were posted on the City website and notice was published in the Long Beach Press-Telegram on May 3, 2021. The IS/ND was circulated for a 30-day public review period between May 3, 2021, and June 3, 2021. The City Council accepted ND 08-20 as part of its adoption of the Ordinance in 2021.

The current action is procedural in nature and consists only of relatively minor modifications to land use regulations included as part of the EDB Ordinance and does not include any direct land use approvals. 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).

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on August 30, 2023 and by Revenue Management Officer Geraldine Alejo on August 31, 2023.

TIMING CONSIDERATIONS

City Council action is requested on September 19, 2023, to comply with the Coastal Act requirement that the City complete the adoption of the modifications by December 8, 2023. Due to the City's current local homelessness emergency proclamation, it is requested that this item is placed on the first available agenda to ensure the applicability of these housing ordinances throughout the entire city, including the coastal zone.

FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

HONORABLE MAYOR AND CITY COUNCIL

September 19, 2023

Page 4 of 4

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTOPHER KOONTZ, AICP
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS: ORDINANCE

RESOLUTION

A – CALIFORNIA COASTAL COMMISSION STAFF REPORT

B – CALIFORNIA COASTAL COMMISSION NOTICE OF APPROVAL

C – FINDINGS (ENHANCED DENSITY BONUS ORDINANCE)

D – UNDERLINE STRIKE-OUT VERSION OF ORDINANCE

E – NEGATIVE DECLARATION ND 08-20

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING CHAPTERS 21.25,
DIVISION V (SITE PLAN REVIEW) AND 21.68 (ENHANCED
DENSITY BONUS)

WHEREAS, on October 5, 2021, the City Council adopted 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 ordinance for an Enhanced Density Bonus program ("EDB Ordinance"); and

WHEREAS, on September 14, 2021, the City Council approved Resolution
No. RES-21-0113 directing the Director of Development Services to submit a Local
Coastal Program Amendment ("LCPA") for the EDB Ordinance to the California Coastal
Commission ("CCC") for a finding of conformance with the Certified Local Coastal
Program ("LCP"); and

WHEREAS, the EDB Ordinance was submitted to the CCC on December
28, 2021; and

WHEREAS, on June 8, 2023, the CCC held a public hearing for the LCPA
(LCP-5-LOB-21-0088-2) and recommended certification of the LCPA with three (3)
requested modifications pertaining to references to non-certified provisions of the LBMC,
clarification for required consistency with LCP and protection of coastal resources, and
corrections to typographical errors; and

WHEREAS, the City Council desires to approve the CCC's requested
modifications by adopting them in accordance with the action taken by the CCC on June
8, 2023.

NOW, THEREFORE, the City Council of the City of Long Beach ordains as

1 follows:

2 Section 1. The Long Beach Municipal Code is amended by amending
3 Section 21.68.020 to read as follows:

4 21.68.020 Definitions.

5 A. High Quality Transit Bus Corridor (HQTC): A high-quality
6 transit bus corridor means a corridor with fixed route public bus service with
7 service intervals no longer than fifteen (15) minutes during peak commute
8 hours, as defined by California Public Resources Code 21155.

9 B. Inclusionary Unit or Inclusionary Housing Projects: a dwelling
10 unit/project required to be affordable to very low or moderate-income
11 households and subject to an inclusionary housing regulatory agreement in
12 areas subject to Inclusionary Housing Requirements outside of the coastal
13 zone.

14 C. Major Transit Stop: A site or location containing a rail station
15 or the intersection of two (2) or more public bus routes with a service
16 interval of fifteen (15) minutes or less during the morning and afternoon
17 peak commute periods, as defined by California Public Resources Code
18 21064.3. The stations or bus routes may be existing, under construction, or
19 included in the most recent Southern California Association of Governments
20 (SCAG) Regional Transportation Plan (RTP).

21 D. Qualifying Project: A residential or mixed-use project that
22 includes On-Site Restricted Affordable Units at a rate that meets or exceeds
23 the minimum requirements to satisfy the Enhanced Density Bonus
24 Incentives and as set forth in this Chapter. A qualifying project must be
25 proposed on an eligible parcel, and meet or exceed the income thresholds
26 as defined below.

27 1. Very Low-Income Households as defined in Section
28 50105 of the California Health and Safety Code.

1 2. Low Income Households as defined in Section 50093
2 of the California Health and Safety Code.

3 3. Moderate Income Households as defined in Section
4 50093 of the California Health and Safety Code.

5

6 Section 2. The Long Beach Municipal Code is amended by amending
7 Subsection 21.68.040.A. to read as follows:

8 A. Applicants with qualifying projects and parcels may request
9 use of the EDB Chapter provisions and procedures, or the State Density
10 Bonus provisions and procedures (Government Code 65915), but may not
11 utilize both programs in order to increase density or otherwise qualify for
12 project incentives. Neither the EDB Chapter provisions nor State Density
13 Bonus Law supersede or in any way alter or lessen the effect or application
14 of the Coastal Act and the LCP. Any incentives, concessions, waivers,
15 and/or density bonuses applied to proposed projects via application of State
16 Density Bonus Law shall only be allowed if coastal resources are protected
17 as required by the Coastal Act and the LCP.

18

19 Section 3. The Long Beach Municipal Code is amended by amending
20 the Footnote to Table 21.68-1 in Subsection 21.68.050 to read as follows:

21 Footnote (*): Use of 3% and 4% affordability components only permissible
22 when the total number of affordable units across multiple restricted income levels equals
23 or exceeds 12% of all units. For example, an applicant may propose 3% Very Low
24 Income (VLI) in the Base Area and be eligible for a 15% density bonus; however, the 3%
25 can only be used in conjunction with one or more other affordable components that total
26 a minimum of 12% affordable units in a project.

27

28 Section 4. The Long Beach Municipal Code is amended by amending

1 Section 21.68.060 to read as follows:

2 21.68.060 Eligible concessions/incentives for EDB projects that are not
 3 inclusionary housing projects (“Non-Inclusionary Projects”).

4 The following Table shall determine how many incentives/concessions a
 5 “Non-Inclusionary Project” may be eligible for, based on the percent density bonus a
 6 project has qualified for. (See above, Density Bonus Eligibility and Percentages.)

7
 8 Table 21.68-4
 Maximum Number of Concessions for Non-Inclusionary Projects

Concession	Eligible Density Bonus
1	20
2	30
3	40
4	50
5	60
6	70
7	80
8	90
9	100

16 Note: For EDB projects that are inclusionary housing projects, the following
 17 Table shall be used to calculate the number of incentives/concessions a project is eligible
 18 for. In the Downtown (PD-30) and Midtown (SP-1) areas, incentives/concessions shall be
 19 based on the total percent density bonus a project qualifies for (see above, Density
 20 Bonus Eligibility and Percentages).

21 Table 21.68-5
 22 Maximum Number of Concessions for Inclusionary Housing Projects

Total # Concessions	Eligible Density Bonus (2023 and beyond)	Maximum Concession for Height	Eligible Density Bonus (2022)	Maximum Concession for Height*	Eligible Density Bonus (2021)	Maximum Concession for Height*
3	70	1 story	50	1 story	40	1 story
4	80		70		60	
5	90	2 stories	90	2 stories	80	2 stories
6	100	3 stories	100	3 stories	100	3 stories

1 *Note: Any height increases on a lot sharing a lot line or across an alley
2 from an R1 or R2 zoned property occupied by a single-family home or duplex, shall step-
3 back any height increase over twelve (12) feet at least ten (10) feet from the exterior face
4 of the ground floor of the building.

5
6 Section 5. The Long Beach Municipal Code is amended by amending
7 Subsection 21.68.070.A to read as follows:

8 A. The following are the by-right “on-menu”
9 concessions/incentives that an EDB project may request based on the
10 number of concessions/incentives a project is eligible for per the
11 concessions/incentive Tables set forth above. In the coastal zone,
12 concessions/incentives including but not limited to parking and open space
13 concessions/incentives shall only be authorized or allowed by-right if there
14 will be no significant adverse impacts to coastal resources, including but not
15 limited to public access and environmentally sensitive habitat area, and if
16 found consistent with the resource protection policies of the certified LCP.

- 17 1. A floor area ratio (FAR) increase of forty (40) percent
18 per concession;
- 19 2. A fifteen (15) percent reduction in non-residential
20 parking per concession;
- 21 3. A thirty (30) percent reduction in open space per
22 concession;
- 23 4. An allowance for all shared/public (in lieu of private)
24 open space;
- 25 5. An averaging of floor area ratio (FAR), density, parking,
26 open space or access across zones (one (1) incentive per development
27 standard averaged);
- 28 6. A fifteen (15) percent reduction in transitional height

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requirements;

7. A thirty (30) percent reduction in an individual setback per concession (maximum one (1) incentive per side or front yard with a maximum of two (2) incentives on the rear yard);

8. A maximum of one (1) additional story in height in the Base and HQTC areas and a maximum of three (3) additional stories in height in the Major Transit Stop area.

Section 6. The Long Beach Municipal Code is amended by amending Section 21.68.090 to read as follows:

21.68.090 Parking requirements.

Parking. EDB projects are eligible for off-street parking reductions and may avail themselves of either the reductions offered by the State regulations or the parking reductions offered by Table 21.68-6. Projects may use either of the reductions, but not both. EDB projects outside of the coastal zone comprised of one hundred (100) percent affordable units shall not be required to provide on-site parking. In the coastal zone, EDB projects comprised of one hundred (100) percent affordable units shall be required to provide off-street parking in accordance with Table 21.68-7.

Table 21.68-6
 EDB Parking Ratio Table

0—1 Bedrooms	1 space/unit
2—3 Bedrooms	1.25 spaces/unit
4+ Bedrooms	2 spaces/unit
Commercial Parking	Outside the Coastal Zone: First 6,000 square feet exempt; certified zoning code parking requirements apply beyond 6,000 square feet. Within the Coastal Zone: Certified zoning code parking requirements apply.

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 W. Ocean Boulevard, 9th Floor
Long Beach, CA 90802

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2023, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AUTHORIZING THE CITY
MANAGER TO SUBMIT AMENDMENTS TO THE LONG
BEACH MUNICIPAL CODE CHAPTERS 21.25, DIVISION V
(SITE PLAN REVIEW) AND 21.68 (ENHANCED DENSITY
BONUS) AND THE CITY'S CERTIFIED LOCAL COASTAL
PROGRAM TO THE CALIFORNIA COASTAL COMMISSION
FOR REVIEW AND APPROVAL

WHEREAS, on June 8, 2023, the California Coastal Commission approved
with modifications the City of Long Beach's proposed Local Coastal Program Amendment
No. LCP-5-LOB-21-0088-2; and

WHEREAS, on September 19, 2023, the City Council of the City of Long
Beach adopted said proposed modifications by amending certain provisions of Title 21,
Zoning Regulations, of the Long Beach Municipal Code; and

WHEREAS, it is the desire of the City Council to resubmit the above
referenced Title 21 amendment ordinance, which contain the modifications as requested
by the California Coastal Commission in its action of June 8, 2023, to the California
Coastal Commission for further review and certification; and

WHEREAS, the City Council gave full consideration to all facts and the
proposals respecting the amendments to the Municipal Code and Zoning Regulations at
a properly noticed and advertised public hearing; and

WHEREAS, the amendments are to be carried out in a manner fully
consistent with the California Coastal Act and become effective in the Coastal Zone
immediately upon California Coastal Commission certification and approval; and

WHEREAS, the City Council hereby finds that the proposed amendments

1 will not adversely affect the character, livability or appropriate development in the City of
2 Long Beach and that the amendments are consistent with the goals, objectives and
3 provisions of the City's General Plan, including its certified Local Coastal Program and
4 the California Coastal Act.

5 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
6 follows:

7 Section 1. The zoning code amendments to Title 21, as modified by the
8 California Coastal Commission, and implementing resolution amending the City's Local
9 Coastal Program, together with all other relevant supporting material, are directed to be
10 submitted to the California Coastal Commission for its earliest review as to that part of
11 the ordinance and resolutions that directly affect land use matters in that portion of the
12 California Coastal Zone within the City of Long Beach.

13 Section 2. The City Manager of the City of Long Beach is hereby
14 authorized to and shall submit a certified copy of this resolution, together with appropriate
15 supporting materials, to the California Coastal Commission with a request for its earliest
16 action, as an amendment to the Local Coastal Program that will take effect automatically
17 upon California Coastal Commission approval and certification pursuant to the Public
18 Resources Code; or as an amendment that will require formal City Council adoption after
19 final California Coastal Commission approval with modifications.

20 Section 3. Pursuant to Public Resources Code Section 21080.9, the
21 California Environmental Quality Act (CEQA) does not apply to activities and approvals
22 by the City as necessary for the preparation and adoption of a Local Coastal Program
23 Amendment (LCPA) and therefore, does not apply to this action.

24 Section 4. This resolution shall take effect immediately upon its adoption
25 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2023, by the following vote:

Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

Recusal(s):	Councilmembers:	_____

City Clerk

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
 301 E. OCEAN BLVD, SUITE 300
 LONG BEACH, CA 90802-4325
 VOICE (562) 590-5071
 FAX (562) 590-5084



Th12b

May 25, 2023

TO: Commissioners and Interested Persons

FROM: Steve Hudson, Deputy Director, South Coast District
 Dani Ziff, Coastal Program Analyst

SUBJECT: **Amendment Request No. LCP-5-LOB-21-0088-2 (Enhanced Density Bonus) of the City of Long Beach Certified Local Coastal Program**, for Public Hearing and Commission Action at the June 8, 2023 meeting.

SUMMARY OF LCP AMENDMENT REQUEST NO. LCP-5-LOB-21-0088-2

The City of Long Beach submitted a Local Coastal Program (LCP) amendment request on December 28, 2021, to modify the certified Implementation Plan (IP) by adding enhanced density bonus (EDB) regulations that provide incentives to construct affordable housing (and other qualifying housing types) beyond those identified in the State Density Bonus Law. On January 11, 2022, the file was deemed incomplete. On March 21, 2022, the City responded to the Commission's incomplete notice with clarifying information. LCPA Request No. LCP-5-LOB-21-0088-2 was filed as complete on March 21, 2022. On May 13, 2022, the Commission extended the deadline for action on the LCPA by one year. The date by which the Commission must take action on this amendment is June 13, 2023.

While the Long Beach LCP already contains Land Use Plan (LUP) and IP policies that protect and encourage affordable housing, the proposed EDB regulations would provide additional incentives for mixed-income, multifamily, and special needs housing projects. The City found that its existing regulations have not incentivized enough projects to meet affordable housing needs. Thus, the subject IP amendment includes additional zoning concessions to encourage the development of affordable housing throughout the City, especially in transit priority areas. As proposed, the LCPA is consistent with many of the City's certified LUP policies—the standard of review—including policies relating to the preservation of affordable housing, facilitation of public access for all people, maintenance of residential character in certain areas, and reduction of vehicle miles traveled. However, some of the by-right incentives for development of affordable housing are in conflict with, or do not adequately support, the coastal resource protection policies of the LUP. To address these concerns, Commission and City staff have worked together to develop suggested modifications to the LCPA that would ensure coastal resources are protected by requiring EDB projects to comply with the certified LCP's resource protection policies,

LCPA No. LCP-5-LOB-21-0088-2
Enhanced Density Bonus (City of Long Beach)

allowing for substantially reduced parking requirements for affordable housing units, eliminating references to non-certified municipal regulations, and fix a typographical error.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission certify LCP Amendment Request No. LCP-5-LOB-21-0088-2 with suggested modifications necessary to protect coastal resources and maximize public access to the coast for all people and to make the City's IP amendment consistent with the City's certified LUP. The motions and resolutions to carry out the staff recommendation are on **page five**. The suggested modifications to the LCP amendment request are included under Section III of this staff report.

Therefore, staff recommends that the Commission, after public hearing:

- 1. Deny the IP amendment as submitted; and**
- 2. Certify, only if modified, the IP amendment request.**

TABLE OF CONTENTS

I. PROCEDURAL HISTORY AND REQUIREMENTS4
 A. STANDARD OF REVIEW..... 4
 B. LOCAL REVIEW AND PUBLIC PARTICIPATION 4
 C. DEADLINE FOR COMMISSION ACTION 4
II. MOTIONS AND RESOLUTIONS5
III. SUGGESTED MODIFICATIONS6
IV. FINDINGS.....9
 A. AMENDMENT DESCRIPTION..... 9
 B. CONSISTENCY WITH THE CERTIFIED LAND USE PLAN..... 11
 C. REJECTION OF LCP AMENDMENT AS SUBMITTED 12
 D. APPROVAL OF LCP AMENDMENT IF MODIFIED AS SUGGESTED 14
 E. CALIFORNIA ENVIRONMENTAL QUALITY ACT 16

EXHIBITS

- Exhibit 1 – Ordinance No. ORD-21-0034
- Exhibit 2 – Resolution No. RES-21-0113
- Exhibit 3 – Administrative Draft of City Changes
- Exhibit 4 – Eligibility Map

APPENDIX A – Substantive File Documents

I. Procedural History and Requirements

A. Standard of Review

The standard of review for the proposed amendment to the LCP Implementation Plan (IP), is whether the proposed IP amendment is in conformance with, and adequate to carry out, the provisions of the certified Land Use Plan (LUP).

B. Local Review and Public Participation

Section 30503 of the Coastal Act requires public input in LCP development. It states:

During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including special districts, shall be provided maximum opportunities to participate. Prior to submission of a local coastal program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.

The City of Long Beach Planning Commission and the City Council held public hearings for the proposed amendment, as summarized below:

The proposed changes to the City's IP (**Exhibit 3**) are contained in City Council Ordinance No. ORD-21-0034 (**Exhibit 1**). The LCP Amendment Request was submitted for Coastal Commission certification by City Council Resolution No. RES-21-0113 (**Exhibit 2**). ORD-21-0034 was heard for the first time on June 17, 2021, before the City of Long Beach Planning Commission. One member of the public provided verbal testimony at the hearing and eighteen parties submitted written comments. The Planning Commission acted to recommend the City Council adopt the zoning code amendment and related approvals. On September 14, 2021, the City Council read ORD-21-0034, made a substitute motion to modify the ordinance, and laid it over for a final reading. RES-21-0013 was also adopted on this date. Modifications made by the City Council during the meeting included reductions in on-menu height concessions, increased parking ratios, and removal of guest parking requirements. The City Council also requested future reporting on Transportation parking management and for City staff to explore alignment between the City's three transportation agencies. The City Council then adopted the ordinance on October 5, 2021.

C. Deadline for Commission Action

The City of Long Beach submitted the IP amendment request on December 28, 2021, with RES-21-0113 and two ordinances: ORD-21-0034 and ORD-21-0035. On January 11, 2022, the file was deemed incomplete due to confusion about whether the City intended to add parts of Chapter 18 of the City's municipal code contained in ORD-21-0035 to the LCP through the proposed amendment. On March 21, 2022, the City responded to the Commission's incomplete notice clarifying that ORD-21-0035, which involves administrative changes to the City's uncertified municipal code, is not proposed as part of the amendment to the IP. LCP Amendment Request No. LCP-5-LOB-21-0088-2 was filed as complete on March 21, 2022. On May 13, 2022, the Commission extended the deadline for action on the LCPA

by one year. The date by which the Commission must take action on this amendment is June 13, 2023.

Additional Information

Further information on the City of Long Beach LCP Amendment may be obtained by contacting Dani Ziff at dani.ziff@coastal.ca.gov or (562) 590 5071. If you wish to comment on the proposed amendment, please do so via email (southcoast@coastal.ca.gov) or regular mail (directed to the South Coast District Office at 301 E. Ocean Blvd. Ste. 300, Long Beach, CA, 90802) by 5pm on Friday, June 2, 2023.

II. Motions and Resolutions

A. Denial of IP Amendment as Submitted

Motion I:

I move that the Commission **reject** Implementation Plan Amendment No. LCP-5-LOB-21-0088-2 to the City of Long Beach certified LCP as submitted.

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Plan Amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution to Deny as Submitted:

The Commission hereby denies certification of Amendment No. LCP-5-LOB-21-0088-2 to the Implementation Plan for the City of Long Beach certified LCP as submitted and adopts the findings set forth below on grounds that the Amendment to the Implementation Plan as submitted does not conform with and is not adequate to carry out the provisions of the certified Land Use Plan, as amended. Certification of the Amendment to the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Amendment to the Implementation Program as submitted.

B. Approval of IP Amendment with Suggested Modifications

Motion II:

I move that the Commission **certify** Implementation Plan Amendment No. LCP-5-LOB-21-0088-2 to the City of Long Beach certified LCP if modified in conformance with the suggested changes recommended by staff.

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Amendment to the Implementation Plan with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution to Certify if Modified:

The Commission hereby certifies Amendment No. LCP-5-LOB-21-0088-2 to the Implementation Plan for the City of Long Beach certified LCP if modified as suggested and adopts the findings set forth below on grounds that the Amendment to the Implementation Plan with the suggested modifications conforms with and is adequate to carry out the provisions of the certified Land Use Plan, as amended. Certification of the Amendment to the Implementation Program if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

III. SUGGESTED MODIFICATIONS

For the following suggested modifications:

Language of the currently certified IP is shown in plain text.

The City's proposed language is shown in underline text.

The Commission's suggested additions are shown in **bold underline text**.

The Commission's suggested deletions are shown in ~~**bold strike out text**~~.

The following suggested modifications, prepared in collaboration with City of Long Beach staff, are necessary to carry out the provisions of the certified LUP:

Suggested Modification 1: Remove references to regulations that are not currently part of or proposed to be added to the certified LCP and clarify that density bonus projects must comply with the certified LCP in the coastal zone.

21.25.506.A Findings Required, Development Projects

...7. The project is in compliance with the housing replacement requirements of **the certified Local Coastal Program** ~~Section 21.11.050 of Chapter 21.11 (No Net Loss)~~ or Section 21.68.040.E of this Chapter, as applicable, and will result in the same or greater number of dwelling units; and in the case of existing affordable dwelling units, that the dwelling units will be replaced at the same or deeper affordability levels, **and that applicable tenant protections of the Long Beach Municipal Code will be met.**

Section 21.68.020 Definitions

A. High Quality Transit Bus Corridor (HQTC)...

B. Inclusionary Unit or Inclusionary Housing Projects: a dwelling unit/project required to be affordable to very low or moderate-income households and subject to an inclusionary housing regulatory agreement in areas subject to Inclusionary Housing Requirements outside of the coastal zone.

~~C.B. Major Transit Stop...~~

~~D.C. Qualifying Project...~~

~~21.68.060 Eligible concessions/incentives for EDB projects that are not subject to the Inclusionary Housing projects Requirements of LBMC Chapter 21.67 ("Non-Inclusionary Projects"). ...~~

~~Table 21.68-4 Maximum Number of Concessions for Non-Inclusionary Housing Projects~~

...

~~Note: For EDB projects that are subject to the Inclusionary Housing projects Requirements of Chapter 21.67 of the Long Beach Municipal Code ("Inclusionary Projects"), including projects in the Downtown (PD-30) and Midtown (SP-1) areas, the following Table shall be used to calculate the number of incentives/concessions a project is eligible for. In the Downtown (PD-30) and Midtown (SP-1) areas, incentives/concessions shall be based on the total percent density bonus a project qualifies for (see above, Density Bonus Eligibility and Percentages).~~

~~Table 21.68-5 Maximum Number of Concessions for Inclusionary Housing Projects Subject to LBMC 21.67 ("Inclusionary Housing Projects") ...~~

Suggested Modification 2: Ensure density bonus concessions/incentives do not adversely impact coastal resources, including public access opportunities.

21.68.040 Procedures.

A. Applicants with qualifying projects and parcels may request use of the EDB Chapter provisions and procedures, or the State Density Bonus provisions and procedures (Government Code 65915), but may not utilize both programs in order to increase density or otherwise qualify for project incentives. **Neither the EDB Chapter provisions nor State Density Bonus Law supersede or in any way alter or lessen the effect or application of the Coastal Act and the LCP. Any incentives, concessions, waivers, and/or density bonuses applied to proposed projects via application of State Density Bonus Law shall only be allowed if coastal resources are protected as required by the Coastal Act and the LCP.**

...

21.68.070 Types of eligible concessions/incentives.

A. The following are the by-right "on menu" concessions/incentives that an EDB project may request based on the number of concessions/incentives a project is eligible for per the concession/incentive Tables set forth above. **In the coastal zone, concessions/incentives including but not limited to parking and open space concessions/incentives shall only be authorized or allowed by-right if there will be no significant adverse impacts to coastal resources, including but not limited to public access and environmentally sensitive habitat area, and if found consistent with the policies of the certified LCP.:**

1. A floor area ratio (FAR) increase of forty (40) percent per concession;

- 2. A fifteen (15) percent reduction in non-residential parking per concession;
- 3. A thirty (30) percent reduction in open space per concession;
- 4. An allowance for all shared/public (in lieu of private) open space;
- 5. An averaging of floor area ratio (FAR), density, parking, open space or access across zones (one (1) incentive per development standard averaged);
- 6. A fifteen (15) percent reduction in transitional height requirements;
- 7. A thirty (30) percent reduction in an individual setback per concession (maximum one (1) incentive per side or front yard with a maximum of two (2) incentives on the rear yard);
- 8. A maximum of one (1) additional story in height in the Base and HQTC areas and a maximum of three (3) additional stories in height in the Major Transit Stop area.

...

21.68.090 Parking requirements.

Parking. EDB projects are eligible for **off-street** parking reductions and may avail themselves of either the reductions offered by the State regulations or the parking reductions offered by Table 21.68-6. Projects may use either of the reductions, but not both. EDB projects **outside of the coastal zone** comprised of one hundred (100) percent affordable units shall not be required to provide on-site parking. **In the coastal zone, EDB projects comprised of one hundred (100) percent affordable units shall be required to provide off-street parking in accordance with Table 21.68-7.**

Table 21.68-6 EDB Parking Ratio Table

<u>0-1 Bedrooms</u>	<u>1 space/unit</u>
<u>2-3 Bedrooms</u>	<u>1.25 spaces/unit</u>
<u>4+ Bedrooms</u>	<u>2 spaces/unit</u>
<u>Commercial Parking</u>	<p><u>Outside the Coastal Zone: First 6,000 square feet exempt; certified zoning code parking requirements apply beyond 6,000 square feet.</u></p> <p><u>Within the Coastal Zone: Certified zoning code parking requirements apply.</u></p>

**Table 21.68-7 EDB Parking Ratio Table for Projects in the Coastal Zone
Comprised of One Hundred (100) Percent Affordable Units**

<u>0-1 Bedrooms</u>	<u>0.25 space/unit</u>
<u>2-3 Bedrooms</u>	<u>0.25 spaces/unit</u>
<u>4+ Bedrooms</u>	<u>0.25 spaces/unit</u>
<u>Nonresidential Parking</u>	<u>Certified zoning code parking requirements apply</u>

Suggested Modification 3: Fix typographical error.

Table 21.68-1

...Footnote (*): Use of 3% and 4% affordability components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the Base Area and be eligible for a 15% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

IV. FINDINGS

A. Amendment Description

The City of Long Beach is proposing to amend its certified Implementation Plan (IP)—more specifically, the City’s certified zoning code—to add enhanced density bonus (EDB) regulations. The purpose of the amendment is to continue to address the need for affordable housing in Long Beach and California by implementing the State’s Density Bonus Law, as found in Government Code Sections 65915-65918, through proportional increases in maximum residential density for projects that provide affordable housing or other qualifying housing types. The City’s LCP already contains policies that protect and encourage affordable housing; however, the City found that the State Density Bonus Law and the City’s existing zoning regulations have not been effective in addressing affordable housing needs. Thus, the City developed and adopted the subject “enhanced” density bonus regulations to provide additional incentives for the creation of new affordable housing units.

The General Housing Policy (part of the LUP) includes provisions that require the replacement of any affordable housing units that would be removed by new development at a one-to-one ratio and demonstration that those units would be replaced prior to issuance of a coastal development permit (CDP) to demolish them. In addition, the certified zoning code includes Chapters 21.61, Maintenance of Low Income Housing in the Coastal Zone, and 21.63, Incentives for Affordable Housing, which implement State

LCPA No. LCP-5-LOB-21-0088-2
Enhanced Density Bonus (City of Long Beach)

regulations including the Mello Act and State Density Bonus Law,¹ respectively. The subject EDB LCP amendment would be an additional tool that not only protects existing affordable housing stock but encourages developers to include affordable housing in new residential and mixed-use development projects. The proposed IP amendment would go beyond the State Density Bonus Law by increasing density bonuses and incentives especially in high quality transit areas.

Specifically, the City-adopted ordinance defines a qualifying project (“EDB project”) as a residential or mixed-use project that includes On-Site Restricted Affordable Units at a parcel(s) where residential uses are permitted and five or more housing units could be built without a density bonus. The affordability levels—very low, low, and moderate income households—are defined by the California Health and Safety Code and are required to be restricted affordable for a minimum of 55 years. Any replacement affordable units must be provided at a one-to-one ratio at the same or deeper affordability level in association with the EDB project. Affordable units in an EDB project are required to be evenly distributed throughout the project and comparable in design and interior/exterior finishes to any proposed market-rate units.

The incentives, bonuses and concessions, would be granted based on geographic location and project type. For example, EDB projects located at Major Transit Stops² would be eligible for more bonuses than those located at High Quality Transit Corridors,³ and projects at High Quality Transit Corridors would be eligible for higher bonuses than projects in Base Areas (non-transit priority areas). In other words, EDB projects that are closer to public transportation infrastructure qualify for more incentives to encourage the concentration of development in transit priority areas. In addition, Inclusionary Housing Projects—new residential projects located in Downtown (partly in the coastal zone) and Midtown that are already required to provide affordable units—are eligible for fewer concessions than Non-Inclusionary Housing Projects. To summarize: the higher the bonus, the more concessions and the greater the incentive to provide new affordable housing.

As proposed, the concessions/incentives include increases in floor area ratio (FAR), reductions in non-residential parking, reductions in open space or replacement of private open space with shared/public open space, averaging of requirements where a project

¹ California’s State Density Bonus Law was originally enacted in 1979. By 1988, Chapter 21.63, Incentives for Affordable Housing, of the certified zoning code had been certified as part of the LCP to implement the state law. In 2007, after the state law was updated, the City requested to amend that chapter, but the amendment request was deemed incomplete and was not certified. In any case, the State’s incentives for affordable housing have continued to evolve, and, as outlined in the subject EDB ordinance, the City will offer incentives consistent with the most recent version of the state law or the proposed new EDB chapter.

² containing a rail station or the intersection of two or more public bus routes with a service interval of fifteen minutes or less during peak commute periods

³ a corridor with fixed route public bus service with service intervals no longer than fifteen minutes during peak commute hours

spans multiple parcels with different zoning designations, reductions in height, and reductions in setbacks. There would be special bonuses for affordable units that are large in size and that have on-site care, and if 100% of the new residential units would be affordable, then no parking would be required. In addition, an applicant that qualifies for at least a 40% density bonus (a relatively high density bonus) may also request a concession that is not listed in the ordinance (“off-menu”), but that concession would count as two and be subject to review and approval by the City Planning Commission. The ordinance also includes a change to certified IP Section 21.25.506, Site Plan Review Findings Required, that would require the Planning Commission to find the project consistent with the City’s No Net Loss housing policies.

As proposed, the EDB regulations would sunset when the City meets its Residential Housing Needs Assessment affordable housing goal of 26,502 units or on January 1, 2030, whichever comes first, unless otherwise extended by the City Council.

The proposed IP amendment applies throughout the coastal zone, but there are only a handful of areas where properties eligible for EDB concessions are located (**Exhibit 4**). These areas include Downtown, Alamitos Beach, Belmont Pier, Belmont Shore, Belmont Park, Bixby Village, and Alamitos Bay Marina. Only the Downtown area and part of the Alamitos Beach neighborhood contain or are located close to Major Transit Stops, as defined in the ordinance, and Bixby Village contains or is close to a High Quality Transit corridor. Thus, EDB projects in those areas would be eligible for higher density bonuses than the other qualifying sites in the coastal zone. Additionally, numerous eligible sites throughout these neighborhoods are within visitor-serving areas, near the beach, and/or adjacent to coastal waters and wetlands.

B. Consistency with the Certified Land Use Plan

The standard of review for the proposed amendment to the IP, pursuant to Section 30513 of the Coastal Act, is whether the proposed IP amendment conforms with, and is adequate to carry out the provisions of the certified Land Use Plan (LUP). The certified LUP contains policies to preserve affordable housing, maximize shoreline access and opportunities for coastal recreation for all people, maintain residential character in certain neighborhoods, and reduce vehicle miles traveled (VMT).

The certified General Housing Policy of the LUP states that “the intent of these regulations is to maintain the present number of very low, low, and moderate income housing units within the Coastal Zone.” The Shoreline Access Policy states it is “a principal objective of this plan to improve public access to the beach.” Regarding consistency with the General Housing Policy, the subject LCP amendment includes “no net loss” regulations that implement this policy by preventing the loss of any existing affordable units and requiring a minimum one-to-one replacement ration. In fact, this amendment surpasses that requirement and encourages not only the development of more affordable housing in the coastal zone, which can increase access to the coast for populations that have historically been excluded from it, but more equitable housing by requiring that the affordable units are mixed in with and comparable in design and interior/exterior finishes to any proposed market-rate units. Thus, in this way, the proposed IP amendment is consistent with the public access policies of the certified LUP, as well as Coastal Act Section 30604(g), which

calls on the Commission to preserve and encourage affordable housing. In addition, this LCPA forwards the Commission's Environmental Justice Policy for these reasons.

The certified LUP also protects the residential character of certain coastal neighborhoods, including near Downtown Long Beach and Belmont Shore. For the Pike Area, the certified LUP states that "new development in the area shall be primarily residential in character." For Area D, as defined in the LUP, the relevant policy states: "the fundamental goal of this policy plan is to maintain and enhance the very special character of Belmont Shore. Aside from the existing commercial strip along Second Street and the node at Ocean and Granada, the Shore shall remain entirely residential in character. Preservation of viable neighborhoods, a principal goal of the City's General Plan, shall prevail as a policy of this LCP." The proposed IP amendment is consistent with these LUP policies because it encourages residential development in these areas.

The Long Beach LUP, including the Transportation and Access Policy, Mobility Element, and parts of the Scenic Route Element, also requires and encourages new development to reduce VMT through use of alternative modes of transportation and transportation demand management. By concentrating density—through provision of more density bonuses—in transit priority areas, the subject IP amendment is consistent with and adequate to carry out these LUP policies. In addition, the majority of the Long Beach coastal zone is urbanized and can support additional residential density without expanding into undeveloped areas where coastal resources are more sensitive.

Therefore, for the reasons described above, the general intent of the IP amendment and most of the implementing regulations described in the previous subsection of the staff report (Section IV.A) conform with, and are adequate to carry out, the provisions of the certified LUP. However, some of the proposed changes submitted with the subject LCP amendment request are not consistent with the LUP. As described in more detail in the following section (Section C), some of the proposed by-right EDB incentives could, in theory, allow for reduced setbacks from sensitive habitat, reduced public parking availability/public access opportunities, reduced open space, and increased structural heights/potential view impacts and, thus, be interpreted in a way that is inconsistent with the LUP policies requiring protection of coastal resources. Therefore, modifications are suggested to ensure LCP-5-LOB-21-0088-2 conforms with the certified LUP (Section D).

C. Rejection of LCP Amendment as Submitted

For the reasons enumerated below, LCP-5-LOB-21-0088-2 is inadequate to carry out and does not conform with the provisions of the certified LUP, as submitted.

The certified LUP contains policies that protect natural resources, water quality, scenic resources, and public access opportunities. One of the first policies in the City's certified LCP document requires there be "a balance between human use and ecological concerns." Other specific LUP policies include Goal (g) of the open space policies, which requires the preservation of "areas which serve as natural habitats for fish and wildlife species;" Program 2.3 of the Open Space and Recreation Element, which requires water resources be protected; and Goal 3 of the Open Space and Recreation Element, which requires the provision of "sufficient open space for adequate protection of lives and

property against natural and man-made safety hazards.” There are many other policies in the LUP preserving scenic views, open space, public beach parking resources, visitor-serving uses, and biological resources, including requirements for buffers from environmentally sensitive habitat areas, maintenance of public view corridors, and protection of water quality.⁴

As described in Subsection A above, there are eligible sites for EDB projects located adjacent to Alamitos Bay, the Los Cerritos Wetlands, and other open spaces, including beaches, and within visitor-serving areas. As proposed, the IP amendment includes density bonus incentives that would, by-right, allow reductions in setbacks, open space, parking, and height requirements. Such existing zoning requirements were determined to be necessary and/or adequate to carry out the LUP when they were certified. As adopted by the City, the subject ordinance is not clear about whether EDB project concessions would be awarded without an analysis of the impacts to coastal resources and consistency with the certified LUP. Thus, reductions in these requirements without proper analysis of potential impacts to coastal resources could result in adverse impacts.

For example, the aforementioned “on-menu” concessions could be inconsistent with the LUP and result in significant impacts to coastal resources in, but not limited to, the following circumstances. There are eligible parcels in the general vicinity of the Alamitos Bay Marina that abut the Los Cerritos Wetlands (**Exhibit 4**) where new development is required to be set back at least 100 feet from wetlands and environmentally sensitive habitat area; if the EDB project qualifies for at least one concession and the developer chooses to reduce the setback, highly sensitive habitat or species could be harmed. At the north end of 62nd Place on the Peninsula there are eligible parcels that extend over public tidelands/waters; if an EDB project were proposed there and qualified for multiple concessions, the resulting development would not be adequately set back for a flood-prone location.⁵ In these cases, if required setbacks and open space requirements were relaxed as incentives for EDB projects, then the development would not be consistent with the LUP.

⁴ Preservation of Natural Resources, Goal (d), of the open space policies states: To maintain open vistas of the ocean across public lands; Open Space Node: Alamitos Bay & Recreation Park, Goal (d), of the open space policies states: Preserving the water surfaces of Alamitos Bay from intrusion by man-made facilities, except for those which are clearly for a public purpose or are necessary to protect the public health, safety or welfare; Policy 2.4 of the Open Space and Recreation Element states: Preserve, enhance and manage open areas to sustain and support marine life habitats; Program 2.3 of the Open Space and Recreation Element states, in part: Preserve and protect water resources available to the City of Long Beach...; Southeast Area Specific Plan, Priority 3, states: Preserve public views of the hills, mountains, and coastal waters and maintain the scenic environment through control of building or structure placement and/or height.

⁵ Any development in or over public tidelands would be within the Commission’s retained permit jurisdiction and, thus, the Commission would process, at least part of any future development application at this location. Chapter 3 of the Coastal Act would be the standard of review and the LCP would provide guidance.

Regarding public access, while the City of Long Beach has public transportation, bike trails, and other alternative transportation options, many people, especially those who do not live close to the coast, drive and require parking to access it and recreate there. One of the “on-menu” incentives would allow for reduced parking requirements for new EDB projects and there would be zero onsite parking required for projects where all residential units are affordable. Studies, including a 2019 parking study by Crain & Associates (**Appendix A**), suggest that even 100% affordable housing projects do not have zero demand for automobile parking. In addition, as proposed, commercial uses within a mixed-use EDB project that are 6,000 feet or less would also be exempt from parking requirements. Given that many visitor-serving areas in the Long Beach coastal zone are areas that could support EDB projects, reduction or elimination of required parking spaces for new residential or mixed-use projects could further impact limited parking supply if residents and/or employees take up public parking spaces or parking for commercial uses is not provided. Thus, as proposed, the City’s IP request would not be adequate to carry out the LUP policies that protect public access opportunities, including public parking spaces.⁶

Lastly, the City-adopted ordinance contains references to regulations that are not part of the certified LCP. Thus, future changes to those regulations would not be reviewed by the Commission for consistency with the LUP and would thereby have the potential to change in a manner that may adversely impact coastal resources.

Therefore, as proposed by the City, Amendment Request No. LCP-5-LOB-21-0088-2 is not adequate to carry out the policies of the City’s certified LUP and must be rejected.

D. Approval of LCP Amendment if Modified as Suggested

As submitted, the City’s proposed LCP amendment No. LCP-5-LOB-21-0088-2 does not conform with, and is not adequate to carry out the policies of the certified LUP. The first two modifications are necessary to protect coastal resources, including public access to the coast and biological resources, reduce risk from coastal hazards, and make the City’s LCP amendment consistent with the certified City’s LUP. The third modification would fix minor typographical errors. All suggested modifications were developed in coordination with City of Long Beach staff.

Suggested Modification 1 removes references to regulations that are not currently part of or proposed to be added to the certified LCP and clarifies that density bonus projects must comply with the certified LCP in the coastal zone. As adopted by the City, the ordinance

⁶ LCP Document, Subarea D, General Development and Use Standards, Parking, states: The existing number of public parking spaces shall be retained...; LCP Document, General Traffic Recommendation 1.A states: All new construction shall conform to zoning ordinance-parking requirements; LCP Document, Area A, Locating and Planning New Development, General Statement Regarding Entire Area states: Strict parking standards should be imposed on the building of new structures in the area, so that new construction does not place an added burden on the already inadequate supply of parking in this area. New developments should be required to provide complete on-site parking amenities for its residents and adequate parking for guest.

references uncertified regulations pertaining to No Net Loss housing policies and Inclusionary Housing. While these City regulations are intended to implement state laws, they have not been reviewed for consistency with the Coastal Act, nor did the City propose to add these regulations to the LCP. Thus, the regulations may be inconsistent with the LUP, could change in the future without review for LCP consistency, and might result in impacts to coastal resources. Therefore, Suggested Modification 1 is required to eliminate references and clarify that EDB projects in the coastal zone must be consistent with the certified LCP. With the elimination of references to the Inclusionary Housing chapter, a definition of inclusionary housing is suggested to be added to the IP so the implementation of the ordinance remains clear. As modified, the City's proposed references to municipal code chapters that are not part of the certified LCP are no longer inconsistent with the LUP and are adequate to carry out its provisions.

Suggested Modification 2 ensures density bonus concessions/incentives do not adversely impact coastal resources, including public access opportunities and biological resources by, first, clarifying that: (a) the new EDB Chapter and State Density Bonus Law do not supersede the Coastal Act and, (b) in the coastal zone, density bonus concessions will only be authorized if it is determined that the project is consistent with the LCP and all adverse impacts to coastal resources are avoided or minimized and adequately mitigated. This modification ensures that City-required setbacks and buffers between new development and coastal resources and hazards, which are in place to protect new development and coastal resources, are observed. This would also mean that, as suggested to be modified, all parking requirements in the LCP would need to be followed. While providing parking as required in the current certified zoning regulations would ensure that public beach parking is not used by residents, it conflicts with the LUP's affordable housing policies and, in a different way, the public access policies of the LUP because parking is often a zoning requirement that contributes to the infeasibility of affordable housing projects in the coastal zone and, thus, a barrier to coastal access for lower income populations.

So, to balance the different elements of public access protected by the LUP, Suggested Modification 2 offers parking ratios (contained in a new table, 21.68-7) for affordable housing units that are less than what would otherwise be necessary pursuant to the certified zoning requirements and less than the proposed City-adopted parking requirements for mixed affordability EDB projects as laid out in Table 21.68-6. The suggested ratios reflect the parking study discussed previously, which was determined by City's Traffic Engineer to be applicable to the City of Long Beach coastal zone. Staff would note that the Commission recently certified LCP Amendment No. LCP-6-SAN-19-0063-1, which allowed permanent supportive and transitional housing projects located within a half mile of a major transit stop to provide zero parking spaces. In the City of Long Beach ordinance, EDB projects are not limited to transitional and supportive housing and are not exclusively allowed in major transit areas. Thus, applying the reduced parking ratios better protects beach parking resources while still allowing for dramatic reductions in the amount of parking required for affordable housing units.

Regarding the City's proposed commercial parking incentives, the ordinance, as submitted, would exempt commercial use areas under 6,000 square feet from parking requirements. The City did not provide information that suggests there would be no or less

LCPA No. LCP-5-LOB-21-0088-2
Enhanced Density Bonus (City of Long Beach)

demand for parking for commercial uses that are connected with affordable housing project elements. There are many sites where commercial uses are allowed, especially near the Belmont Pier and along 2nd Street, that are less than 6,000 square feet. If these were redeveloped into mixed-use EDB projects, as adopted by the City, parking would not be required for the commercial uses. The City finds that businesses under 6,000 square feet are neighborhood-scale establishments and, thus, would have less parking demand because they would be frequented by residents that could walk or take alternative transportation. However, the LUP also identifies these areas as visitor-serving commercial areas, so the parking exemption for commercial uses under 6,000 square feet without adequate mitigation could impact the availability of public parking for visitors to the Long Beach coastal zone. Therefore, Table 21.68-6 is suggested to be modified to eliminate the parking exemption for commercial uses in the coastal zone and Table 21.68-7 is added to clarify that this also applies to non-residential uses in mixed use developments with a 100% affordable residential units.

Therefore, as suggested to be modified, the proposed amendment to the certified IP would conform with the policies of the certified LUP.

Suggested Modification 3 fixes a minor nomenclature error.

Thus, as suggested to be modified, the proposed amendment to the certified IP would conform with the policies of the certified LUP.

E. California Environmental Quality Act

Section 21080.9 of the California Public Resources Code – within the California Environmental Quality Act (CEQA) - exempts local governments from the requirement of preparing environmental review documentation in connection with its activities and approvals necessary for the preparation and adoption of an LCP. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. (14 CCR § 15251(f).) Thus, under Section 21080.5 of CEQA, the Commission's review and analysis of the LCP amendment in this staff report satisfies CEQA environmental review requirements. Nevertheless, the Commission is required, in approving an LCP submittal, to find that the LCP does conform with the requirement in CEQA section 21080.5(d)(2)(A) that the amended LCP will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. (14 C.C.R. Sections 13542(a), 13540(f), and 13555(b).) The City of Long Beach LCP Amendment No. LCP-5-LOB-21-0088-2 consists of an amendment to the Implementation Plan (IP) of City's certified LCP.

As outlined in this staff report, the proposed LCP amendment, if modified as suggested, will be consistent with the policies of the LUP. Furthermore, as modified, there are no other feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the LCP amendment may have on the environment. Thus, the Commission finds that LCP Amendment No. LCP-5-LOB-21-0088-2, if modified as suggested, is in conformity with and adequate to carry out the land use policies of the certified LCP and will not result in significant adverse environmental impacts under the

meaning of CEQA and will be consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

Appendix A – Substantive File Documents

Lincoln 100% Affordable Housing Project Low-Income Restriction and Transit Availability Effects On Personal Vehicle Ownership and Parking Demand, Crain & Associates. Dated March 12, 2019.

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
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Th12b

LLCP-5-LOB-21-0088-2 (City of Long Beach, Enhanced Density Bonus)

June 8, 2023

EXHIBITS

Table of Contents

Ordinance No. ORD-21-0034.....	2
Resolution No. RES-21-0113.....	18
Administrative Draft of City Changes.....	21
Eligibility Map.....	30

1 resulted in, among other things, an increase in poverty and homelessness, especially first-
2 time homelessness, has forced lower income residents into crowded and unsafe housing
3 conditions, particularly in urban areas, has forced health care providers, teachers, and
4 others, including critical safety personnel, into more affordable housing farther from the
5 communities they serve, which in turn exacerbates disaster response challenges in high-
6 cost, high-congestion areas and increases risk to life; and

7 WHEREAS, the housing crisis has, and is, severely impacting the State's
8 economy with employers facing increasing difficulty in securing and retaining a workforce;
9 and schools, universities, nonprofits, and governments facing similar difficulties attracting
10 and retaining teachers, students, and employees; and

11 WHEREAS, the State of California recognizes the importance of developing
12 affordable housing in the state and has developed a Density Bonus Law (California
13 Government Code §§ 65915 et seq.) to promote such housing development, which law
14 requires that cities offer certain density bonuses, incentives, and concessions, in
15 exchange for the development of qualifying projects, provided enumerated criteria are
16 met; and

17 WHEREAS, while the most significant barrier to the construction of
18 affordable housing is a lack of public funding, the other major obstacle is the existence of
19 low-density zoning regulations because mixed income and affordable housing projects
20 need density to leverage the economies of scale that are necessary to offset the cost of
21 providing the needed affordable units; and

22 WHEREAS, the State Density Bonus Law specifically permits cities,
23 including chartered cities such as the City of Long Beach, to adopt ordinances and other
24 regulations offering density bonuses and incentives that exceed and enhance those
25 bonuses and incentives currently mandated under the State Density Bonus Law; and

26 WHEREAS, the City of Long Beach has not produced sufficient overall
27 housing stock in the City, and is producing insufficient levels of affordable housing to meet
28 the demonstrated need of the City; and

1 WHEREAS, despite its stated goals and objectives, the State Density Bonus
2 Law has proven inadequate to encourage needed housing production in the City and has
3 only been utilized a few times in the City during the past two decades; and

4 WHEREAS, because of the failure of the existing State Density Bonus laws
5 and regulations to produce much needed affordable housing, the City is in need of new
6 ordinances and regulations such as the Enhanced Density Bonus (EDB) Ordinance
7 considered herein; and

8 WHEREAS, the proposed EDB Ordinance would amend Title 21 of the Long
9 Beach Municipal Code to establish regulations to allow for increased density bonuses in
10 excess of those permitted by the State Density Bonus Law in exchange for increased
11 levels of on-site, deed-restricted affordable units, in order to facilitate the development of
12 mixed-income, multi-family housing Citywide, with increased density bonuses and
13 incentives focused in high quality transit areas.

14 WHEREAS, an EDB ordinance designed to tailor the incentive structure to
15 local conditions presently existing in the City will complement the City's recently enacted
16 inclusionary housing regulations by providing incentives for affordable housing in areas
17 outside of the Downtown and Midtown areas; and

18 WHEREAS, the EDB ordinance would provide the greatest bonuses in areas
19 of the City served by the highest quality transit, which furthers the goals of the City's 2019
20 General Plan Land Use Element Update and state regulations designed to reduce
21 greenhouse gas emissions; and

22 WHEREAS, an EDB ordinance is also critical to help the City achieve its
23 26,502 unit Regional Housing Needs Assessment (RHNA) requirement through 2029, as
24 demonstrated by the City's current Housing Element and site inventory, recent housing
25 development trends in the City, and the City's current restrictive zoning regulations; and

26 WHEREAS, the Planning Commission considered the proposed EDB
27 regulations and ordinance provisions on June 17, 2021, at a duly noticed public hearing,
28 as prescribed by law, at which time City Staff and interested persons had an opportunity

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1 to, and did, testify either in support of or against the proposed EDB regulations. At the
2 conclusion of the Planning Commission hearing, and after due consideration of the
3 testimony and other evidence presented, the Planning Commission voted unanimously to
4 recommend to the City Council that the City adopt an EDB ordinance for the purpose of
5 enhancing the construction of much needed market-rate and affordable housing in the
6 City; and

7 WHEREAS, even though the adoption of an Enhanced Density Bonus
8 Ordinance is categorically exempt from the California Environmental Quality Act (CEQA)
9 pursuant to Section 15061.b.3 of the CEQA Guidelines because adoption of this zoning
10 ordinance is covered by the general rule that CEQA applies only to projects which have
11 the potential for causing a significant effect on the environment, and this project does not
12 have the potential for causing a significant effect on the environment; the City did prepare,
13 and the City Council does hereby adopt and approve, Negative Declaration ND 08-20
14 together with the "Findings" contained therein; and

15 WHEREAS, the EDB ordinance is meant to be a temporary measure that will
16 sunset on October 1, 2030, unless otherwise extended by the City Council; or if the City
17 first fulfills its 6th Cycle RHNA requirements and goals for very low, low and moderate
18 income units, whichever occurs first.

19 NOW, THEREFORE, the City Council of the City of Long Beach ordains as
20 follows:

21 Section 1. The Long Beach Municipal Code is amended by adding
22 Chapter 21.68 to read as follows:

23 Chapter 21.68

24 ENHANCED DENSITY BONUS

25 21.68.010 Purpose.

26 The purpose of this Chapter is to create an Enhanced Density Bonus
27 (EDB) incentive program that exceeds and enhances those bonuses and
28 incentives currently provided under the State Density Bonus Law

1 (Government Code Section 65915) that could be utilized by qualifying
2 projects in lieu of, but not in addition to, the State Density Bonus law
3 provisions, in order to facilitate the development of mixed-income, multi-
4 family and special needs housing Citywide, with increased density bonuses
5 and incentives focused in high quality transit areas. The provisions of this
6 Chapter are adopted in order to assist the City in meeting its Regional
7 Housing Needs Assessment (RHNA) requirement through 2029; support
8 inclusionary housing in the City; and implement the goals and objectives of
9 the City's "Everyone Home" program as well as the Land Use Element of
10 the City's General Plan, in order to augment and produce sufficient levels of
11 market-rate and affordable housing across a variety of housing types to
12 meet the demonstrated housing need of the City.

13
14 21.68.020 Definitions.

15 A. High Quality Transit Bus Corridor (HQTC): A high-quality
16 transit bus corridor means a corridor with fixed route public bus service with
17 service intervals no longer than fifteen (15) minutes during peak commute
18 hours, as defined by California Public Resources Code 21155.

19 B. Major Transit Stop: A site or location containing a rail station
20 or the intersection of two (2) or more public bus routes with a service
21 interval of fifteen (15) minutes or less during the morning and afternoon
22 peak commute periods, as defined by California Public Resources Code
23 21064.3. The stations or bus routes may be existing, under construction, or
24 included in the most recent Southern California Association of Governments
25 (SCAG) Regional Transportation Plan (RTP).

26 C. Qualifying Project: A residential or mixed-use project that
27 includes On-Site Restricted Affordable Units at a rate that meets or exceeds
28 the minimum requirements to satisfy the Enhanced Density Bonus

1 Incentives and as set forth in this Chapter. A qualifying project must be
2 proposed on an eligible parcel, and meet or exceed the income thresholds
3 as defined below.

4 1. Very Low-Income Households as defined in Section
5 50105 of the California Health and Safety Code.

6 2. Low Income Households as defined in Section 50093 of
7 the California Health and Safety Code.

8 3. Moderate Income Households as defined in Section
9 50093 of the California Health and Safety Code.

10
11 21.68.030 Eligible parcels.

12 Parcels in the City may be eligible for an Enhanced Density Bonus
13 where any residential uses, including live/work units, are permitted either by
14 the zoning district or the General Plan Place Type designation; and where
15 five (5) or more housing units could be built without a bonus, based on the
16 allowable densities and site size.

17
18 21.68.040 Procedures.

19 A. Applicants with qualifying projects and parcels may request use
20 of the EDB Chapter provisions and procedures, or the State Density Bonus
21 provisions and procedures (Government Code 65915), but may not utilize
22 both programs in order to increase density or otherwise qualify for project
23 incentives.

24 B. All deed-restricted affordable units approved utilizing the
25 provisions of this Chapter shall be deed restricted for a minimum of fifty-five
26 (55) years.

27 C. All projects utilizing the provisions of this Chapter are required
28 to undergo Site Plan Review (SPR) in accordance with the provisions set

1 forth in Chapter 21.25.

2 D. No density bonus granted in accordance with the provisions of
3 this Chapter shall exceed one hundred (100) percent; and the total number
4 of additional incentives/concessions shall not exceed nine (9), and shall not
5 exceed six (6) incentives/concessions for projects that are also subject to the
6 City's Inclusionary Housing Ordinance (Chapter 21.67).

7 E. No-Net-Loss

8 1. All projects utilizing the provisions of this Chapter shall
9 be subject to "no-net-loss" provisions that exceed State and City mandated
10 requirements and regulations; and shall include the replacement of any
11 affordable units lost as a result of the approval or construction of the project
12 on a one-for-one basis, in addition to the minimum number of affordable
13 units required by this Chapter (as calculated as a percentage of the total
14 base units). Existing units shall be deemed affordable and subject to the
15 replacement requirement if either the income of the household qualifies as
16 low income at the low, very low or extremely low income levels or if the rent
17 level, regardless of household income, is affordable to low, very low or
18 extremely low income households. The number and affordability levels of
19 the replacement units to be provided shall be determined by both the income
20 level of the household and the rent level of the unit regardless of household
21 income.

22 2. Applicants shall provide evidence/documentation to the
23 satisfaction of the Director of Development Services, or designee, in order to
24 establish the rent and affordability levels of all individual dwelling units that
25 will, or may, be removed as a result of a proposed project. Such
26 documentation/evidence shall include an accounting of all rents charged for
27 the individual units over the preceding five (5) years. Rent levels will be
28 compared to Average Median Income (AMI) to establish the units'

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affordability levels. The requirement to provide an accounting of rents for the preceding five (5) years applies retroactively to any units that may have been demolished or vacated within the five (5) year period preceding the application. No demolition or construction permits shall be issued for multifamily developments consisting of five (5) or more residential dwelling units until the required documentation is provided and approved; and an application is submitted to the City that incorporates both replacement and density bonus units for the proposed project.

F. Rounding and calculations.

All calculations for affordable housing requirements, bonuses and /or incentives shall be rounded up to the next whole number.

G. Affordable unit size, mix and location.

Affordable units shall be evenly distributed throughout the project and shall have equal access to on-site amenities. Affordable units shall be generally reflective of the mix of unit sizes and number of bedrooms of the overall project, and shall be comparable to market-rate units in terms of design, and exterior and interior finishes.

21.68.050 Density bonus eligibility and percentages.

The Tables set forth in this Section establish the percentage of affordable units in a proposed EDB project and the eligible density bonus that can be granted based on the level of affordability for each of three (3) geographic tiers: (1) the Base Area; (2) High Quality Transit Corridors; and (3) Major Transit Stops, as defined above.

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Table 21.68-1
Base Area

Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate Income (Mod)
3 (*)	15	3	
4 (*)	20	4	
5	25	5	
6	30	10	6
7	35	15	7
8	40	20	8
9	45	25	9
10	50	30	10
11	55	35	15
12	60	40	20
13	65	45	25
14	70	50	30
15		55	35
16		60	40
17		65	45
18		70	50
19			55
20			60
21			65
22			70

Footnote (*): Use of 3% and 4% affordability component only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the Base Area and be eligible for a 15% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

Table 21.68-2
High Quality Transit Corridors

Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate Income (Mod)
3 (*)	20	5	
4 (*)	25	10	
5	30	15	
6	35	20	6
7	40	25	7
8	45	30	10
9	50	35	15

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Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate Income (Mod)
10	55	40	20
11	60	45	25
12	65	50	30
13	70	55	35
14	75	60	40
15	80	65	45
16	85	70	50
17	90	75	55
18		80	60
19		85	65
20		90	70
21			75
22			80
23			85
24			90

Footnote (*): Use of 3% and 4% affordable components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the High Quality Transit Corridor and be eligible for a 20% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

Table 21.68-3
 Major Transit Stop

Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate Income (Mod)
3 (*)	35	15	
4 (*)	40	20	
5	45	25	6
6	50	30	10
7	55	35	15
8	60	40	20
9	65	45	25
10	70	50	30
11	75	55	35
12	80	60	40
13	85	65	45
14	90	70	50
15	95	75	55
16	100	80	60

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Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate Income (Mod)
17		85	65
18		90	70
19		95	75
20		100	80
21			85
22			90
23			95
24			100

Footnote (*): Use of 3% and 4% affordable components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in a Major Transit Stop eligibility area and be eligible for a 35% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

21.68.060 Eligible concessions/incentives for EDB projects not subject to the Inclusionary Housing Requirements of LBMC Chapter 21.67 ("Non-Inclusionary Projects").

The following Table shall determine how many incentives/ concessions a "Non-Inclusionary Project" may be eligible for, based on the percent density bonus a project has qualified for. (See above, Density Bonus Eligibility and Percentages).

Table 21.68-4
 Maximum Number of Concessions for Non-Inclusionary Projects

Concession	Eligible Density Bonus
1	20
2	30
3	40
4	50
5	60
6	70
7	80
8	90
9	100

Note: For EDB projects that are subject to the Inclusionary Housing Requirements

of Chapter 21.67 of the Long Beach Municipal Code ("Inclusionary Projects"), including projects in the Downtown (PD-30) and Midtown (SP-1) areas, the following Table shall be used to calculate the number of incentives/concessions a project is eligible for. In the Downtown (PD-30) and Midtown (SP-1) areas, incentives/concessions shall be based on the total percent density bonus a project qualifies for (see above, Density Bonus Eligibility and Percentages).

Table 21.68-5
 Maximum Number of Concessions for Projects
 Subject to LBMC 21.67 ("Inclusionary Projects")

Total # Concessions	Eligible Density Bonus (2023 and beyond)	Maximum Concession for Height	Eligible Density Bonus (2022)	Maximum Concession for Height*	Eligible Density Bonus (2021)	Maximum Concession for Height*
3	70	1 story	50	1 story	40	1 story
4	80		70		60	
5	90	2 stories	90	2 stories	80	2 stories
6	100	3 stories	100	3 stories	100	3 stories

*Note: Any height increases on a lot sharing a lot line or across an alley from an R1 or R2 zoned property occupied by a single-family home or duplex, shall step-back any height increase over twelve (12) feet at least ten (10) feet from the exterior face of the ground floor of the building.

21.68.070 Types of eligible concessions/incentives.

A. The following are the by-right "on-menu" concessions/incentives that an EDB project may request based on the number of concessions/incentives a project is eligible for per the concession/incentive Tables set forth above:

1. A floor area ratio (FAR) increase of forty (40) percent per concession;
2. A fifteen (15) percent reduction in non-residential parking per concession;
3. A thirty (30) percent reduction in open space per concession;

- 1 4. An allowance for all shared/public (in lieu of private)
- 2 open space;
- 3 5. An averaging of floor area ratio (FAR), density, parking,
- 4 open space or access across zones (one (1) incentive per development
- 5 standard averaged);
- 6 6. A fifteen (15) percent reduction in transitional height
- 7 requirements;
- 8 7. A thirty (30) percent reduction in an individual setback
- 9 per concession (maximum one (1) incentive per side or front yard with a
- 10 maximum of two (2) incentives on the rear yard);
- 11 8. A maximum of one (1) additional story in height in the
- 12 Base and HQTC areas and a maximum of three (3) additional stories in
- 13 height in the Major Transit Stop area.
- 14 B. In addition to the above "on-menu" concessions/incentives, an
- 15 Applicant may propose or request a concession/incentive, not otherwise
- 16 listed herein, that will be considered "off-menu." Each such concession
- 17 proposed or requested shall count as two (2) concessions and shall be
- 18 subject to review and approval by the Planning Commission based on the
- 19 physical necessity of the incentive for the provision of the affordable units.
- 20 Only projects eligible for a minimum of forty (40) percent density bonus may
- 21 seek an off-menu concession/incentive. No concessions related to signage
- 22 shall be granted.
- 23 C. Height Concessions.
- 24 1. A story shall not exceed twelve (12) feet;
- 25 2. Each additional story in height counts as one (1)
- 26 incentive, except that any additional stories in height above one (1) in the
- 27 Base and HQTC areas shall count as two (2) incentives;
- 28 3. Maximum Height Concessions. Projects are limited to a

1 maximum height concession of two (2) stories in the Base area and three (3)
2 stories in the HQTC area. Additional height above one (1) story in both the
3 Base and HQTC areas is considered "off-menu" and is subject to the
4 provisions of 21.68.070.B.

5 4. Any height increases on a lot sharing a lot line or across an
6 alley from an R1 or R2 zoned property occupied by a single-family home or
7 duplex shall step-back any height increase over twelve (12) feet at least ten
8 (10) feet from the exterior of the ground floor of the building face.

9
10 21.68.080 Special bonuses for large units and on-site childcare.

11 A. Projects with large/family units are eligible for additional density
12 bonuses up to an additional twenty (20) percent. Bonuses are additive;
13 however, total bonuses shall not exceed one hundred (100) percent. Eligible
14 projects must provide affordable units, and mix of affordable units must
15 include some proportion of the large units:

16 1. More than twenty-five (25) percent two (2) bedroom
17 units of nine hundred seventy (970) square feet (SF) or larger;

18 2. More than five (5) percent three (3) bedroom units of
19 eleven hundred forty (1140) square feet (SF) or larger.

20 B. Projects with affordable units that equal or exceed twelve (12)
21 percent that also provide an on-site childcare facility are exempt from floor
22 area ratio (FAR) and parking calculations for the childcare use. Such
23 projects are also eligible for one (1) additional incentive from the list set forth
24 in Section 21.68.060.A.

25
26 21.68.090 Parking requirements.

27 Parking. EDB projects are eligible for parking reductions and may
28 avail themselves of either the reductions offered by the State regulations or

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1 the parking reductions offered by Table 21.68-6. Projects may use either of
2 the reductions, but not both. EDB projects comprised of one hundred (100)
3 percent affordable units shall not be required to provide on-site parking.

4 Table 21.68-6
5 EDB Parking Ratio Table

6 0-1 Bedrooms	1 space/unit
7 2-3 Bedrooms	1.25 spaces/unit
8 4+ Bedrooms	2 spaces/unit
9 Commercial Parking	First 6,000 square feet exempt; zoning code parking requirements apply beyond 6,000 square feet

10 21.68.090 Sunset Clause.

11 The ordinance will sunset, unless otherwise extended by the City
12 Council, when the City meets its affordable component of its RHNA
13 allocation of 26,502 units, or on January 1, 2030, whichever occurs first.

14
15 Section 2. Subsection 21.25.506.A of the Long Beach Municipal Code is
16 amended by adding number 7 to read as follows:

17 7. The project is in compliance with the housing
18 replacement requirements of Section 21.11.050 of Chapter 21.11 (No Net
19 Loss) or Section 21.68.040.E of this Chapter, as applicable, and will result
20 in the same or greater number of dwelling units; and in the case of existing
21 affordable dwelling units, that the dwelling units will be replaced at the
22 same or deeper affordability levels, and that applicable tenant protections
23 of the Long Beach Municipal Code will be met.

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1 Section 3. The City Clerk shall certify to the passage of this ordinance by
2 the City Council and cause it to be posted in three (3) conspicuous places in the City of
3 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
4 Mayor.

5 I hereby certify that the foregoing ordinance was adopted by the City Council
6 of the City of Long Beach at its meeting of October 5, 2021, by the
7 following vote:

8 Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,
9 Saro, Uranga, Austin, Richardson.

12 Noes: Councilmembers: None.

14 Absent: Councilmembers: Mungo.

16 Recusal(s): Councilmembers: None.

19 [Signature]
City Clerk

21 [Signature]
Mayor

22 Approved: 10/7/2021
(Date)

25 [Signature]
CERTIFIED AS A TRUE AND CORRECT COPY
CITY CLERK OF THE CITY OF LONG BEACH

27 BY: TA
28 DATE: 12/6/2021

Exhibit 2 - Resolution No. RES-21-0113

1 RESOLUTION NO. RES-21-0113
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF
5 DEVELOPMENT SERVICES TO SUBMIT AMENDMENTS
6 TO THE LONG BEACH ZONING AND IMPACT FEE
7 REGULATIONS TO THE CALIFORNIA COASTAL
8 COMMISSION FOR ITS REVIEW, APPROVAL AND
9 CERTIFICATION
10

11 WHEREAS, the City Council of the City of Long Beach amended certain
12 provisions of the Long Beach Zoning and Impact Fee Regulations, Titles 18 and 21, of
13 the Long Beach Municipal Code; and

14 WHEREAS, it is the desire of the City Council to submit the above
15 referenced regulation amendments to the California Coastal Commission for its review
16 and certification; and

17 WHEREAS, the Planning Commission and City Council gave full
18 consideration to all facts and the proposals respecting the amendments to the
19 regulations at properly noticed and advertised public hearings; and

20 WHEREAS, the City Council, in accordance with the recommendation of
21 the Planning Commission, approved the proposed amendments to the regulations by
22 adopting amendments to Title 18 and 21. The proposed regulation amendments are to
23 be carried out in a manner fully consistent with the Coastal Act and become effective in
24 the Coastal Zone immediately upon Coastal Commission certification and approval; and

25 WHEREAS, the City Council hereby finds that the proposed Municipal Code
26 amendments will not adversely affect the character, livability or appropriate development
27 in the City of Long Beach and that the amendments are consistent with the goals,
28 objectives and provisions of the City's General Plan and the California Coastal Act.

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NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The amendments to the Long Beach Zoning and Impact Fee Regulations of the City of Long Beach, attached to and incorporated in this resolution as Exhibit "A", are hereby submitted to the California Coastal Commission for its earliest review as to that part of the ordinances that directly affects land use matters in that portion of the California Coastal Zone within the City of Long Beach.

Section 2. The Director of Development Services of the City of Long Beach is hereby authorized to and shall submit a certified copy of this resolution, together with appropriate supporting materials, to the California Coastal Commission with a request for its earliest action, as an amendment to the Local Coastal program that will take effect automatically upon Coastal Commission approval pursuant to the Public Resources Code or as an amendment that will require formal City Council adoption after Coastal Commission approval.

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

//
//

1 I certify that this resolution was adopted by the City Council of the City of
2 Long Beach at its meeting of September 14, 2021, by the following vote:

3
4 Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,
5 Mungo, Saro, Uranga, Austin,
6 Richardson.

7 Noes: Councilmembers: None.
8 _____

9 Absent: Councilmembers: None.
10 _____

11 Recusal(s): Councilmembers: None.
12 _____
13 _____

14
15 J. De J. Garcia
16 City Clerk

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CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

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22 CERTIFIED AS A TRUE AND CORRECT COPY

23 J. De J. Garcia
CITY CLERK OF THE CITY OF LONG BEACH

24 BY: TA

25 DATE: 12/6/2021
26
27
28

Exhibit 3 - Administrative Draft of City Changes

Language of the currently certified IP is shown in plain text.
The City's proposed additions are shown in underlined text.

ORD-21-0034: Enhanced Density Bonus Regulations

21.25.506.A Findings Required, Development Projects

...7. The project is in compliance with the housing replacement requirements of Section 21.11.050 of Chapter 21.11 (No Net Loss) or Section 21.68.040.E of this Chapter, as applicable, and will result in the same or greater number of dwelling units; and in the case of existing affordable dwelling units, that the dwelling units will be replaced at the same or deeper affordability levels, and that applicable tenant protections of the Long Beach Municipal Code will be met.

Chapter 21.68

ENHANCED DENSITY BONUS

21.68.010 Purpose

This purpose of this Chapter is to create and Enhanced Density Bonus (EDB) incentive program that exceeds and enhances those bonuses and incentives currently provided under the State Density Bonus Law (Government Code Section 65915) that could be utilized by qualifying projects in lieu of, but not in addition to, the State Density Bonus law provisions, in order to facilitate the development of mixed-income, multifamily and special needs housing Citywide, with increased density bonuses and incentives focused in high quality transit areas. The provisions of this Chapter are adopted in order to assist the City in meeting its Regional Housing Needs Assessment (RHNA) requirement through 2029; support inclusionary housing in the City; and implement the goals and objectives of the City's "Everyone Home" program as well as the Land Use Element of the City's General Plan, in order to augment and produce sufficient levels of market-rate and affordable housing across a variety of housing types to meet the demonstrated housing need of the City.

21.68.020 Definitions

A. High Quality Transit Bus Corridor (HQTC): A high-quality transit bus corridor means a corridor with fixed route public bus service with service intervals no longer than fifteen (15) minutes during peak commute hours, as defined by California Public Resources Code 21155.

B. Major Transit Stop: A site or location containing a rail station or the intersection of two (2) or more public bus routes with a service interval of fifteen (15) minutes or less during the morning and afternoon peak commute periods, as defined by California Public Resources Code 21064.3. The stations or bus routes may be existing, under construction, or included in the most recent Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP).

Language of the currently certified IP is shown in plain text.
The City's proposed additions are shown in underlined text.

C. Qualifying Project: A residential or mixed-use project that includes On-Site Restricted Affordable Units at a rate that meets or exceeds the minimum requirements to satisfy the Enhanced Density Bonus Incentives and as set forth in this Chapter. A qualifying project must be proposed on an eligible parcel, and meet or exceed the income thresholds as defined below.

1. Very Low-Income Households as defined in Section 50105 of the California Health and Safety Code.

2. Low Income Households as defined in Section 50093 of the California Health and Safety Code.

3. Moderate Income Households as defined in Section 50093 of the California Health and Safety Code.

21.68.030 Eligible Parcels.

Parcels in the City may be eligible for an Enhanced Density Bonus where any residential uses, including live/work units, are permitted either by the zoning district or the General Plan Place Type designation; and where five (5) or more housing units could be built without a bonus, based on the allowable densities and site size.

21.68.040 Procedures.

A. Applicants with qualifying projects and parcels may request use of the EDB Chapter provisions and procedures, or the State Density Bonus provisions and procedures (Government Code 65915), but may not utilize both programs in order to increase density or otherwise qualify for project incentives.

B. All deed-restricted affordable units approved utilizing the provisions of this Chapter shall be deed restricted for a minimum of fifty-five (55) years.

C. All projects utilizing the provisions of this Chapter are required to undergo Site Plan Review (SPR) in accordance with the provisions set forth in Chapter 21.25.

D. No density bonus granted in accordance with the provisions of this Chapter shall exceed one hundred (100) percent; and the total number of additional incentives/concessions shall not exceed nine (9), and shall not exceed six (6) incentives/concessions for projects that are also subject to the City's Inclusionary Housing Ordinance (Chapter 21.67).

E. No-Net-Loss

1. All projects utilizing the provisions of this Chapter shall be subject to "no-net-loss" provisions that exceed State and City mandated requirements and regulations; and shall include the replacement of any affordable units lost as a result of the approval or construction of the project on a one-for-one basis, in addition to the minimum number of affordable units required by this Chapter (as calculated as a percentage of the total base

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units). Existing units shall be deemed affordable and subject to the replacement requirement if either the income of the household qualifies as low income at the low, very low or extremely low income levels or if the rent level, regardless of household income, is affordable to low, very low or extremely low income households. The number and affordability levels of the replacement units to be provided shall be determined by both the income level of the household and the rent level of the unit regardless of household income.

2. Applicants shall provide evidence/documentation to the satisfaction of the Director of Development Services, or designee, in order to establish the rent and affordability levels of all individual dwelling units that will, or may, be removed as a result of a proposed project. Such documentation/evidence shall include an accounting of all rents charged for the individual units over the preceding five (5) years. Rent levels will be compared to Average Median Income (AMI) to establish the units' affordability levels. The requirement to provide an accounting of rents for the preceding five (5) years applies retroactively to any units that may have been demolished or vacated within the five (5) year period preceding the application. No demolition or construction permits shall be issued for multifamily developments consisting of five (5) or more residential dwelling units until the required documentation is provided and approved; and an application is submitted to the City that incorporates both replacement and density bonus units for the proposed project.

F. Rounding and calculations.

All calculations for affordable housing requirements, bonuses and/or incentives shall be rounded up to the next whole number.

G. Affordable unit size, mix and location.

Affordable units shall be evenly distributed throughout the project and shall have equal access to on-site amenities. Affordable units shall be generally reflective of the mix of unit sizes and number of bedrooms of the overall project, and shall be comparable to market-rate units in terms of design, and exterior and interior finishes.

21.68.050 Density bonus eligibility and percentages.

The Tables set forth in this Section establish the percentage of affordable units in a proposed EDB project and the eligible density bonus that can be granted based on the level of affordability for each of three (3) geographic tiers: (1) the Base Area; (2) High Quality Transit Corridors; and (3) Major Transit Stops, as defined above.

Table 21.68-1

Base Area

<u>Affordable Component</u>	<u>Bonus for Very Low Income (VLI)</u>	<u>Bonus for Low Income (LI)</u>	<u>Bonus for Moderate Income (Mod)</u>
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<u>3 (*)</u>	<u>15</u>	<u>3</u>	
<u>4 (*)</u>	<u>20</u>	<u>4</u>	
<u>5</u>	<u>25</u>	<u>5</u>	
<u>6</u>	<u>30</u>	<u>10</u>	<u>6</u>
<u>7</u>	<u>35</u>	<u>15</u>	<u>7</u>
<u>8</u>	<u>40</u>	<u>20</u>	<u>8</u>
<u>9</u>	<u>45</u>	<u>25</u>	<u>9</u>
<u>10</u>	<u>50</u>	<u>30</u>	<u>10</u>
<u>11</u>	<u>55</u>	<u>35</u>	<u>15</u>
<u>12</u>	<u>60</u>	<u>40</u>	<u>20</u>
<u>13</u>	<u>65</u>	<u>45</u>	<u>25</u>
<u>14</u>	<u>70</u>	<u>50</u>	<u>30</u>
<u>15</u>		<u>55</u>	<u>35</u>
<u>16</u>		<u>60</u>	<u>40</u>
<u>17</u>		<u>65</u>	<u>45</u>
<u>18</u>		<u>70</u>	<u>50</u>
<u>19</u>			<u>55</u>
<u>20</u>			<u>60</u>
<u>21</u>			<u>65</u>
<u>22</u>			<u>70</u>

Footnote (*): Use of 3% and 4% affordability component only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the Base Area and be eligible for a 15% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

Table 21.68-2

High Quality Transit Corridors

<u>Affordable Component</u>	<u>Bonus for Very Low Income (VLI)</u>	<u>Bonus for Low Income (LI)</u>	<u>Bonus for Moderate Income (Mod)</u>
<u>3 (*)</u>	<u>20</u>	<u>5</u>	
<u>4 (*)</u>	<u>25</u>	<u>10</u>	
<u>5</u>	<u>30</u>	<u>15</u>	
<u>6</u>	<u>35</u>	<u>20</u>	<u>6</u>
<u>7</u>	<u>40</u>	<u>25</u>	<u>7</u>
<u>8</u>	<u>45</u>	<u>30</u>	<u>10</u>
<u>9</u>	<u>50</u>	<u>35</u>	<u>15</u>
<u>10</u>	<u>55</u>	<u>40</u>	<u>20</u>
<u>11</u>	<u>60</u>	<u>45</u>	<u>25</u>
<u>12</u>	<u>65</u>	<u>50</u>	<u>30</u>
<u>13</u>	<u>70</u>	<u>55</u>	<u>35</u>

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<u>14</u>	<u>75</u>	<u>60</u>	<u>40</u>
<u>15</u>	<u>80</u>	<u>65</u>	<u>45</u>
<u>16</u>	<u>85</u>	<u>70</u>	<u>50</u>
<u>17</u>	<u>90</u>	<u>75</u>	<u>55</u>
<u>18</u>		<u>80</u>	<u>60</u>
<u>19</u>		<u>85</u>	<u>65</u>
<u>20</u>		<u>90</u>	<u>70</u>
<u>21</u>			<u>75</u>
<u>22</u>			<u>80</u>
<u>23</u>			<u>85</u>
<u>24</u>			<u>90</u>

Footnote (*): Use of 3% and 4% affordability components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the High Quality Transit Corridor and be eligible for a 20% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

Table 21.68-3

Major Transit Stop

<u>Affordable Component</u>	<u>Bonus for Very Low Income (VLI)</u>	<u>Bonus for Low Income (LI)</u>	<u>Bonus for Moderate Income (Mod)</u>
<u>3 (*)</u>	<u>35</u>	<u>15</u>	
<u>4 (*)</u>	<u>40</u>	<u>20</u>	
<u>5</u>	<u>45</u>	<u>25</u>	<u>6</u>
<u>6</u>	<u>50</u>	<u>30</u>	<u>10</u>
<u>7</u>	<u>55</u>	<u>35</u>	<u>15</u>
<u>8</u>	<u>60</u>	<u>40</u>	<u>20</u>
<u>9</u>	<u>65</u>	<u>45</u>	<u>25</u>
<u>10</u>	<u>70</u>	<u>50</u>	<u>30</u>
<u>11</u>	<u>75</u>	<u>55</u>	<u>35</u>
<u>12</u>	<u>80</u>	<u>60</u>	<u>40</u>
<u>13</u>	<u>85</u>	<u>65</u>	<u>45</u>
<u>14</u>	<u>90</u>	<u>70</u>	<u>50</u>
<u>15</u>	<u>95</u>	<u>75</u>	<u>55</u>
<u>16</u>	<u>100</u>	<u>80</u>	<u>60</u>
<u>17</u>		<u>85</u>	<u>65</u>
<u>18</u>		<u>90</u>	<u>70</u>
<u>19</u>		<u>95</u>	<u>75</u>
<u>20</u>		<u>100</u>	<u>80</u>
<u>21</u>			<u>85</u>
<u>22</u>			<u>90</u>

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<u>23</u>			<u>95</u>
<u>24</u>			<u>100</u>

Footnote (*): Use of 3% and 4% affordability components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in a Major Transit Stop eligibility area and be eligible for a 35% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

21.68.060 Eligible concessions/incentives for EDB projects not subject to the Inclusionary Housing Requirements of LBMC Chapter 21.67 ("Non-Inclusionary Projects").

The following Table shall determine how many incentives/concessions a "Non-Inclusionary Project" may be eligible for, based on the percent density bonus a project has qualified for. (See above, Density Bonus Eligibility and Percentages).

Table 21.68-4

Maximum Number of Concessions for Non-Inclusionary Projects

<u>Concession</u>	<u>Eligible Density Bonus</u>
<u>1</u>	<u>20</u>
<u>2</u>	<u>30</u>
<u>3</u>	<u>40</u>
<u>4</u>	<u>50</u>
<u>5</u>	<u>60</u>
<u>6</u>	<u>70</u>
<u>7</u>	<u>80</u>
<u>8</u>	<u>90</u>
<u>9</u>	<u>100</u>

Note: For EDB projects that are subject to the Inclusionary Housing Requirements of Chapter 21.67 of the Long Beach Municipal Code ("Inclusionary Projects"), including projects in the Downtown (PD-30) and Midtown (SP-1) areas, the following Table shall be used to calculate the number of incentives/concessions a project is eligible for. In the Downtown (PD-30) and Midtown (SP-1) areas, incentives/concessions shall be based on the total percent density bonus a project qualifies for (see above, Density Bonus Eligibility and Percentages).

Table 21.68-5

Maximum Number of Concessions for Projects Subject to LBMC 21.67 ("Inclusionary Housing Projects")

<u>Total #</u>	<u>Eligible</u>	<u>Maximum</u>	<u>Eligible</u>	<u>Maximum</u>	<u>Eligible</u>	<u>Maximum</u>
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<u>Concessions</u>	<u>Density Bonus (2023 and beyond)</u>	<u>Concession for Height</u>	<u>Density Bonus (2022)</u>	<u>Concession for Height*</u>	<u>Density Bonus (2021)</u>	<u>Concession for Height*</u>
<u>3</u>	<u>70</u>	<u>1 story</u>	<u>50</u>	<u>1 story</u>	<u>40</u>	<u>1 story</u>
<u>4</u>	<u>80</u>		<u>70</u>		<u>60</u>	
<u>5</u>	<u>90</u>	<u>2 stories</u>	<u>90</u>	<u>2 stories</u>	<u>80</u>	<u>2 stories</u>
<u>6</u>	<u>100</u>	<u>3 stories</u>	<u>100</u>	<u>3 stories</u>	<u>100</u>	<u>3 stories</u>

*Note: Any height increases on a lot sharing a lot line or across an alley from an R1 or R2 zoned property occupied by a single-family home or duplex, shall stepback any height increase over twelve (12) feet at least ten (10) feet from the exterior face of the ground floor of the building.

21.68.070 Types of eligible concessions/incentives.

A. The following are the by-right "on menu" concessions/incentives that an EDB project may request based on the number of concessions/incentives a project is eligible for per the concession/incentive Tables set forth above:

1. A floor area ratio (FAR) increase of forty (40) percent per concession;
2. A fifteen (15) percent reduction in non-residential parking per concession;
3. A thirty (30) percent reduction in open space per concession;
4. An allowance for all shared/public (in lieu of private) open space;
5. An averaging of floor area ratio (FAR), density, parking, open space or access across zones (one (1) incentive per development standard averaged);
6. A fifteen (15) percent reduction in transitional height requirements;
7. A thirty (30) percent reduction in an individual setback per concession (maximum one (1) incentive per side or front yard with a maximum of two (2) incentives on the rear yard);
8. A maximum of one (1) additional story in height in the Base and HQTC areas and a maximum of three (3) additional stories in height in the Major Transit Stop area.

B. In addition to the above "on-menu" concessions/incentives, an Applicant may propose or request a concession/incentive, not otherwise listed herein, that will be considered "off-menu." Each such concession proposed or requested shall count as two (2) concessions and shall be subject to review and approval by the Planning Commission based on the physical necessity of the incentive for the provision of the affordable units. Only projects eligible for a minimum of forty (40) percent density bonus

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may seek an off-menu concession/incentive. No concessions related to signage shall be granted.

C. Height Concessions.

1. A story shall not exceed twelve (12) feet;

2. Each additional story in height counts as one (1) incentive, except that any additional stories in height above one (1) in the Base and HQTC areas shall count as two (2) incentives;

3. Maximum Height Concessions. Projects are limited to a maximum height concession of two (2) stories in the Base area and three (3) stories in the HQTC area. Additional height above one (1) story in both the Base and HQTC areas is considered "off-menu" and is subject to the provisions of 21.68.070.B.

4. Any height increases on a lot sharing a lot line or across an alley from an R 1 or R2 zoned property occupied by a single-family home or duplex shall step-back any height increase over twelve (12) feet at least ten (10) feet from the exterior of the ground floor of the building face.

21.65.080 Special bonuses for large units and on-site childcare.

A. Projects with large/family units are eligible for additional density bonuses up to an additional twenty (20) percent. Bonuses are additive; however, total bonuses shall not exceed one hundred (100) percent. Eligible projects must provide affordable units, and mix of affordable units must include some proportion of the large units:

1. More than twenty-five (25) percent two (2) bedroom units of nine hundred seventy (970) square feet (SF) or larger;

2. More than five (5) percent three (3) bedroom units of eleven hundred forty (1140) square feet (SF) or larger.

B. Projects with affordable units that equal or exceed twelve (12) percent that also provide an on-site childcare facility are exempt from floor area ratio (FAR) and parking calculations for the childcare use. Such projects are also eligible for one (1) additional incentive from the list set forth in Section 21.68.060.A.

21.68.090 Parking requirements.

Parking. EDB projects are eligible for parking reductions and may avail themselves of either the reductions offered by the State regulations or the parking reductions offered by Table 21.68-6. Projects may use either of the reductions, but not both. EDB projects comprised of one hundred (100) percent affordable units shall not be required to provide on-site parking.

Table 21.68-6

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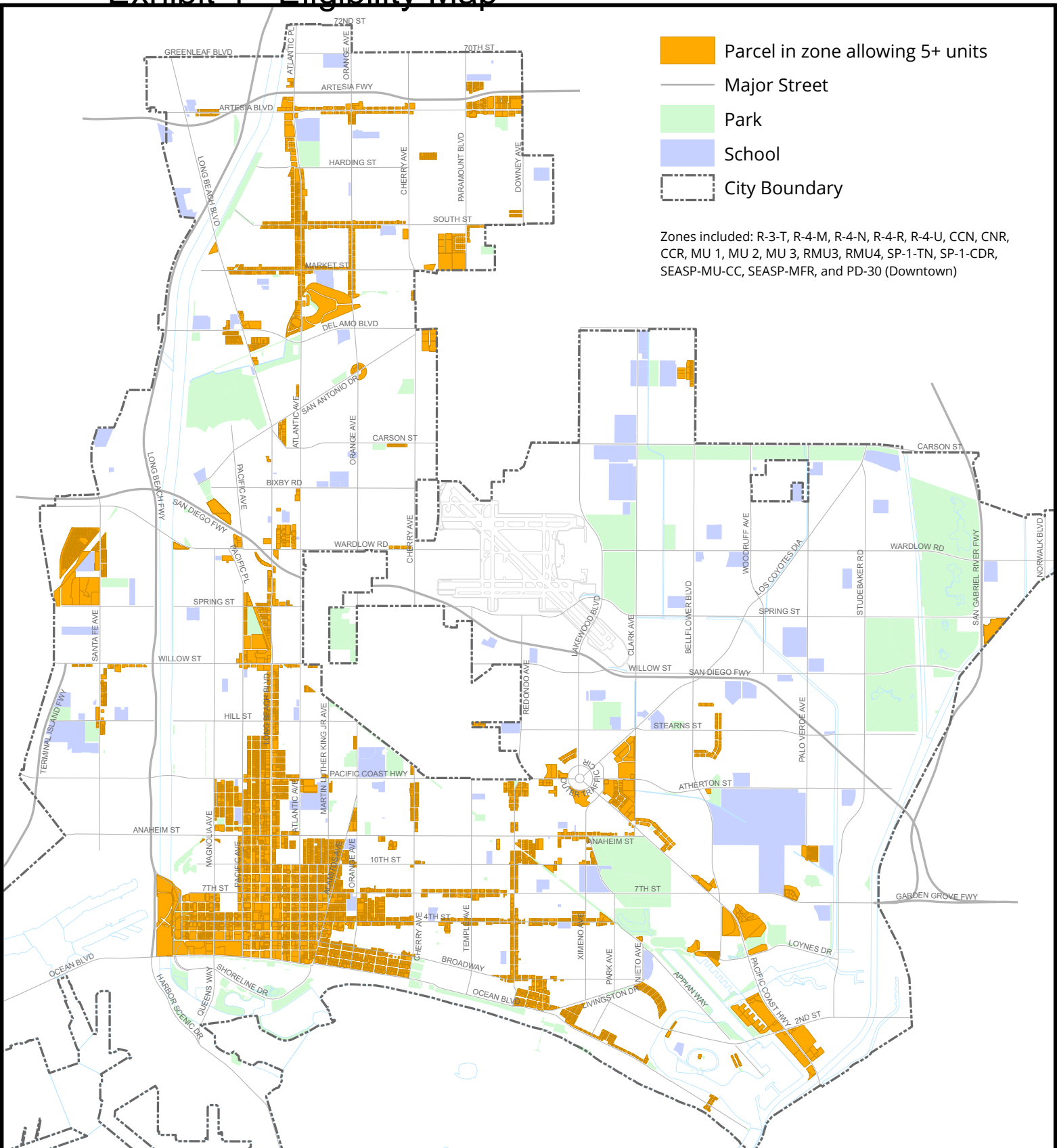
EDB Parking Ratio Table

<u>0-1 Bedrooms</u>	<u>1 space/unit</u>
<u>2-3 Bedrooms</u>	<u>1.25 spaces/unit</u>
<u>4+ Bedrooms</u>	<u>2 spaces/unit</u>
<u>Commercial Parking</u>	<u>First 6,000 square feet exempt; zoning code parking requirements apply beyond 6,000 square feet</u>

21.68.100

The ordinance will sunset, unless otherwise extended by the City Council, when the City meets its affordable component of its RHNA allocation of 26,502 units, or on January 1, 2030, whichever occurs first.

Exhibit 4 - Eligibility Map



- Parcel in zone allowing 5+ units
- Major Street
- Park
- School
- City Boundary

Zones included: R-3-T, R-4-M, R-4-N, R-4-R, R-4-U, CCN, CNR, CCR, MU 1, MU 2, MU 3, RMU3, RMU4, SP-1-TN, SP-1-CDR, SEASP-MU-CC, SEASP-MFR, and PD-30 (Downtown)

Enhanced Density Bonus

For informational purposes only. Exact determination of eligibility will depend on parcel size and other factors. Parcels shown on this map could allow construction of 5 or more units based on underlying zone.



0 0.5 1 Mile

CALIFORNIA COASTAL COMMISSION

South Coast District Office
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Th12b

LLCP-5-LOB-21-0088-2 (City of Long Beach, Enhanced Density Bonus)

June 8, 2023

CORRESPONDENCE

From: [Christopher Pederson](#)
To: [SouthCoast@Coastal](#)
Cc: [Huckelbridge, Kate@Coastal](#); [Hudson, Steve@Coastal](#); [Ziff, Dani@Coastal](#); [Warren, Louise@Coastal](#)
Subject: Public Comment on June 2023 Agenda Item Thursday 12b - City of Long Beach LCP Amendment No. LCP-5-LOB-21-0088-2
Date: Wednesday, May 31, 2023 8:37:59 AM

Dear Chair Brownsey and Commissioners:

The stated intent of the staff recommendation regarding Long Beach’s “Enhanced Density Bonus” (EDB) LCP amendment is laudable: allowing additional density, incentives and concessions for multi-family housing that includes more than the minimum required affordable housing while still protecting significant coastal resources.

Unfortunately, the proposed suggested modifications are likely to deter projects with affordable housing from being built in the coastal zone even in the absence of adverse effects on coastal resources. This would violate the Coastal Act’s mandate that the Commission encourage low- and moderate-income housing. (Pub. Resources Code, § 30604(f).) In addition, the staff recommendation regarding parking disregards numerous certified land use plan policies that call for moving away from reliance on automobiles and towards reliance on public transit and increased pedestrian and bicycle access opportunities. The parking recommendations also do not account for recent changes to state law regarding parking requirements.

The City submitted this LCP amendment as part of its implementation of its state-approved Housing Element and to comply with the City’s “regional housing needs allocation” (RHNA). The recommended suggested modifications would impede the City’s efforts to comply with state housing law, but, as explained below, lack sufficient Coastal Act justification for creating this avoidable conflict with state statutory requirements.

The Proposed Suggested Modifications Will Deter Affordable Housing in Violation of the Coastal Act

The proposed suggested modifications are likely to deter projects with affordable housing because they are contradictory and ambiguous about when density bonuses, waivers, incentives, or concessions are allowed. The suggested modification to section 21.68.070 states that incentives or concessions may only be allowed if “consistent with the policies of the certified LCP.” Incentives or concessions, however, are by their very nature exceptions from, and therefore inconsistent with, some provision of the LCP. Applied literally, this would prevent allowance of any incentives or concessions for EDB projects.

In addition, given that this is an amendment to the LCP’s Implementation Plan (IP), the suggested modification as drafted exceeds the Commission’s authority. The City’s certified land use plan (LUP) is the standard of review (Pub. Resources Code, § 30513(b)), but the suggested modification as drafted purports to prohibit exceptions to any LCP policies regardless of whether they are LUP or IP policies and regardless of whether a project-specific exception to an IP requirement would conflict with any LUP policy.

To avoid this internal contradiction and to comply with the legal standard of review, the Commission should revise the suggested modification to section 21.68.070 to require

incentives or concession to include a finding of consistency with the policies of the certified LUP, not non-LUP provisions of the LCP.

Even with correction of this internal contradiction, however, the proposed suggested modifications to sections 21.68.040 and 21.68.070 lack clarity and are ambiguous in ways that are likely to deter EDB projects. The suggested modification to section 21.68.040 allows density bonuses, waivers, incentives, and concessions only if “coastal resources are protected as required by the Coastal Act and the LCP.” The suggested modification to section 21.68.070 allows incentives and concessions only if “there will be no significant impact to coastal resources” and “if found consistent with the policies of the certified LCP.”

These two suggested modifications establish different standards and do not clarify what qualifies as a “coastal resource,” do not explain how to determine whether an impact is “significant,” and suggest that, even if an incentive or concession’s impact is insignificant, it must be denied if it’s inconsistent with some policy of the LCP even if that policy is unrelated to, or unnecessary for, compliance with some Coastal Act requirement.

A developer contemplating an EDB project in the coastal zone would face tremendous uncertainty with accompanying risks of arguments, delays, mounting expenses, and litigation. If the Commission wishes, as the Coastal Act requires, to encourage low- and moderate-income housing, this is not the way to do it.

The Commission should instead revise the suggested modifications to sections 21.68.040 and 21.68.070 to provide much greater clarity and specificity about exactly when density bonuses, waivers, incentives, or concessions may be granted while still complying with LUP policies related to implementation of Coastal Act requirements.

The City’s Proposed Parking Requirements Conform With the Certified LUP Whereas the Staff Recommended Suggested Modifications Do Not

Staff’s recommended suggested modifications regarding parking disregard numerous LUP policies and do not acknowledge the effect of recent changes to state law regarding parking.

Prepared during the energy crises of the late 1970s, the Long Beach LCP directs the City to move away from dependence on the automobile and toward reliance on public transit, walking, and bicycling. This directive aligns well with the Coastal Act mandates to minimize energy consumption and vehicle miles traveled and to promote public transit and other non-automotive modes of transportation. (Pub. Resources Code, §§ 30253(d), 30252.) Both the LCP and the Coastal Act, if implemented properly, can also advance the state’s current goals and strategies for addressing the climate crisis.

The introduction to the LCP states that “[t]ransportation and land use decisions of the past have imposed access difficulties which are not nearly impossible [sic] to overcome using conventional auto/parking methods. Instead, this LCP seeks to maximize access by transit, bicycle, and foot.” (City of Long Beach LCP, pg I-4 <https://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/advance/general-plan/local-coastal-program-with-seasp-and-pd-2>.) It elaborates that “[i]ncreased auto circulation in the coastal zone is discouraged by this program because (1) it would not provide increased access to coastal resources; (2) it would

have an adverse impact on the fragile coastal neighborhoods; and (3) there is little unused capacity available in the street system.” (*Id.*)

The LCP’s transportation and access general policies declare, “[s]tated succinctly, the Long Beach LCP transportation and access policies are:

1. Increase reliance on public transit.
2. Decrease reliance on automobiles.
3. Provide slightly more parking.
4. Increase pedestrian and bicycle access opportunities.”

(LCP, pg. II-3.) They explain, “[t]he long-range solution to coastal access problems in Long Beach, then, appear to be founded in improving transit capability while increasing opportunities for pedestrian and bicycle access. *In the short-range*, some accommodation of the motor car is essential. The LCP proposes both of these strategies in the Community Plans.” (*Id.* (emphasis added).) The short-term accommodation of cars that the LCP identifies is “some increase in parking lot capacity on the beach.” (*Id.* at pg. II-4.)

The general policies of the LCP also state that new development should provide “adequate” on-site parking (*id.* at pg. II-5), but that leaves the City with considerable discretion to determine what qualifies as “adequate.” That determination, however, must take into account the LCP’s primary emphasis on prioritizing transit, walking and bicycling. Now, more than forty years after adoption of the LCP and with the increasing severity of the climate crisis, the time for “short-term” accommodations of the automobile has passed.

The City’s original proposed language to exempt 100 percent affordable housing from the LCP’s parking requirements therefore conforms with and is adequate to carry out the LUP.

The staff report relies on three LCP provisions to justify the suggested modification that would require 100 percent affordable housing development to provide off-street parking. (Staff report, pg. 14 fn. 6.) None of the three provisions justifies the suggested modification.

The first provision applies only to public parking, not to private off-street parking, so it is simply inapplicable. (It’s unclear exactly where in the LCP the cited provision is. As referenced in the staff report, it applies to “Subarea D,” but there is no “Subarea D” in the LCP. To the extent the report intended to cite a provision regarding “Area D” (aka the Belmont Shore neighborhood), the LCP provisions that address Area D do not appear to have the quoted language. I could find the quoted language only in the chapter addressing the Belmont Pier Planned Development District, but the proposed LCP amendment would not apply there.)

The second provision cited in the staff report merely requires construction to conform to zoning ordinance parking requirements. It does not in any way dictate the details of what the zoning ordinance parking requirements should be. Of course, the pending LCP amendment would establish the zoning ordinance parking requirements for EDB projects. The cited provision therefore does not support the staff recommendation.

The third and final LCP provision that the staff report cites does call for strict off-street parking requirements. Indeed, it would arguably even preclude the parking requirements that staff recommends for 100 percent affordable housing. That provision, however, applies only in

“Area A” (aka the Bluff Community), so it cannot be the basis for suggested modification language that applies outside Area A.

In addition, the provision is contained in the Appendix of the LCP. To the extent that the detailed policies contained in the Appendix are part of the IP rather than LUP (the LCP is not clear about this point), they are not the standard of review for this LCP amendment. Even if the Appendix policies are part of the LUP, they are expressly subordinate to policies contained in the “Policy Plan Summaries” of the LCP. (LCP Appendix, pg. 2.) To the extent of any inconsistencies between Policy Plan Summaries and the Appendix, the Policy Plan Summaries govern. (*Id.*) As explained above, the overwhelming emphasis of the LCP is on moving away from automobile dependence and towards transit-, pedestrian-, and bicycle-oriented development standards. Those policies amply justify the City’s decision to waive off-street parking requirements for 100 percent affordable housing.

The recommended modifications would also require smaller-size commercial units in mixed-use EDB projects to comply with default zoning code parking requirements. The staff report justifies these modifications by raising concerns about parking impacts in visitor-serving commercial zones, specifically the Belmont Pier area and 2nd Street. The LCP amendment, however, would apply only to areas north of Ocean Blvd. that are located farther away from the Belmont Pier, and would apply only to a very small segment of 2nd Street. Most of the commercially zoned areas subject to the LCP amendment are expressly designated in the LCP as pedestrian-oriented and neighborhood serving (see, e.g., LCP pp. III-A-10 (along Broadway), III-B-11 (along Broadway), III-C-13 (along Broadway), III-D-9 (Granada & Ocean)). Given that most of the areas where this LCP amendment would allow mixed-use EDB projects are neighborhood-serving, pedestrian-oriented districts, the City appropriately proposed to waive parking requirements for smaller commercial spaces. The staff recommendation does not justify requiring off-street parking in those non-visitor serving areas.

Finally, the suggested modifications do not take into account recent changes in state law regarding off-street parking requirements. AB 2097 imposes strict limits on when local governments or the Commission may require off-street parking for development located within one-half mile of a major transit stop. (See Gov. Code, § 65863.2.) Housing developments located within half a mile of a major transit stop that have fewer than 20 units or that dedicate 20 percent of the units to low- or moderate- income households, students, senior citizens, or persons with disabilities are entirely exempt from off-street parking requirements. (Gov. Code, § 65863.2(c).) Other developments are also exempt unless a local government makes specified findings. (Gov. Code, § 65863.2(b).) Some areas close to downtown Long Beach are located within one-half mile of a major transit stop (see <https://longbeach.gov/globalassets/lbds/media-library/documents/planning/sb9/transit-priority-areas-map>), so the Commission should adopt a suggested modification noting the applicability of Government Code section 65863.2 to areas located within one-half mile of a major transit stop.

AB 2011 prohibits off-street parking requirements for eligible mixed-income housing development located along commercial corridors. (Gov. Code, § 65912.123(e).) To the extent any streets affected by the proposed LCP amendment qualify as a “commercial corridor” within the meaning of that statute (see Gov. Code, § 65912.101(a)), the Commission should also adopt a suggested modification noting the applicability of Government Code section 65912.123(e).

Although the details of zoning code parking requirements can be mind-numbing, they have important ramifications. Off-street parking is expensive to provide, which can make it an obstacle to the construction of affordable housing, which is difficult to finance in the best of circumstances. Parking requirements increase traffic, undercut public transit, and degrade conditions for walking and bicycling. For these reasons, the California Air Resources Board (CARB) recommends reducing or eliminating parking requirements as part of the state's strategy for reducing vehicle miles traveled and carbon pollution.

(See CARB, 2022 Scoping Plan for Achieving Carbon Neutrality, <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>, Appendix D, pp. 11, 22-23; Appendix E, pp. 27-28.)

Because the parking provisions of the proposed LCP amendment conform with the certified LUP and because the suggested modifications recommended by the staff report do not, the Commission should certify the parking provisions of the LCP amendment as proposed by the City, with suggested modifications noting the potential applicability of Government Code sections 65863.2 and 65912.123.

Thank you for your consideration of my comments.

Sincerely,

Christopher Pederson

CALIFORNIA COASTAL COMMISSION

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Th12b

ADDENDUM

DATE: June 2, 2023

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM Th12b, LCP AMENDMENT NO. LCP-5-LOB-21-0088-2 FOR THE COMMISSION MEETING ON THURSDAY, JUNE 8, 2023.**

This addendum addresses correspondence received and includes corrections/modifications to the staff report dated May 25, 2023. First, in Section I, Commission staff updates the record by supplementing it with correspondence that was received after publication of the staff report. Section II provides responses to issues raised in the recent correspondence, and Commission staff proposes the Commission incorporate these responses into its findings. Finally, Section III provides corrections and modifications to the staff report in light of the correspondence received.

I. CORRESPONDENCE RECEIVED

The Commission has received one letter in opposition to the suggested modifications from a member of the public.

The correspondence is available on the Commission's website at the following address:
<https://documents.coastal.ca.gov/reports/2023/6/Th12b/th12b-6-2023-corresp.pdf>.

II. RESPONSE TO COMMENTS

The following is added as a Response to Comments section to the staff report (as subsection E on staff report page 16, thus renumbering the CEQA section as subsection F):

In a comment letter received on May 31, 2023, a member of the public (Christopher Pederson) asserts that: (1) modifying the City's proposed amendment to require enhanced density bonus (EDB) projects be consistent with the LCP is inconsistent with

the affordable housing policy of the Coastal Act and internally contradictory, given that the intent of offering concessions for EDB projects is to encourage affordable housing and relax restrictions that are included in the IP; (2) the suggested modifications that would require the general protection of coastal resources from significant adverse impacts and project consistency with the LCP are too ambiguous and should be specified; (3) the suggested modifications relating to parking requirements are not required for conformance with the LUP because the applicability of the parking-related LUP policies that are referenced in the staff report are questionable and the City has multiple LUP policies that encourage less reliance on automobiles; and (4) recent changes in state law, especially AB 2097, were not taken into account. Each of these contentions is addressed as follows:

- (1) To summarize the findings in the staff report dated May 25, 2023, the City's proposed EDB regulations go above and beyond its previously certified density bonus regulations, as well as the State Density Bonus law, to provide additional incentives for the construction of affordable housing. While this is consistent with some LUP policies (the standard of review for the subject LCPA) that call for the preservation of affordable housing and maximization of public access, there are some locations within the coastal zone where EDB projects could adversely impact coastal resources if offered incentives such as reduced setbacks from sensitive habitat. Thus, modifications to the City-adopted ordinance are suggested to ensure that, in these cases where coastal resources may be endangered, the resource protection policies of the LCP would take precedent. Even in these cases, only the incentives that would adversely impact coastal resources would be adjusted or taken off the "menu" of concessions in order to find the project consistent with the LCP's resource protection policies. Where coastal resources would not be impacted by an EDB project, all of the City-adopted incentives would be available.

The suggested modification to Section 21.68.040, especially the second sentence suggested to be added, makes clear that incentives can be applied to EDB projects in the coastal zone as long as they are consistent with the coastal resource protection policies of the City's LCP. Similarly, the modification suggested for Section 21.68.070 states that concessions can only be allowed by right if there would be no adverse impacts to coastal resources. While this portion of the modification is clear, the comment letter contends that the following phrase—"and if found consistent with the policies of the certified LCP"—is confusing since the LCP contains existing regulations for zoning densities, parking, setbacks, building height, etc. that are intentionally more strict than the proposed incentives. The comment letter also asserts that the modification should only reference the LUP policies since they are the standard of review for the subject IP amendment.

While the LUP policies are the standard of review for the subject IP amendment and the modifications are suggested in order for the IP amendment to be found consistent with the LUP, there are resource protection policies within the IP that should also be considered. Therefore, requiring all LCP policies be considered

when acting on an EDB development application is necessary for coastal resource protection. In any case, to provide additional clarity as suggested in the letter, the modification to Section 21.68.070 is revised to reference the resource protection policies of the LCP.

- (2) The comment letter also suggests that the IP amendment should be further clarified to define “coastal resources” and “significant impact.” “Coastal resources” are not defined in the City’s LCP or in the Coastal Act but are understood to include public access and recreation opportunities, biological resources, environmentally sensitive habitat areas, water resources, public views of the coast, archaeological, paleontological, and tribal cultural resources, and the character of special coastal communities. In addition, a “significant impact” is not defined in the LCP or Coastal Act because the finding of significance is made on a case-by-case basis based on information available by the agency with permit authority. The City’s LCP includes procedures for processing local CDPs and direction for determining what impacts to coastal resources may be significant. In the Commission’s retained jurisdiction, the Commission’s regulations and the Coastal Act outline those processes. While, as suggested by the commenter, the City could have added specificity to the IP amendment by, for example, calling out each of the areas or sites where potential EDB projects could impact coastal resources and identifying, in those cases, exactly which incentives should not be offered, the City did not propose that level of detail, and the IP amendment, as suggested to be modified, is adequate to carry out the policies of the LUP.
- (3) The main assertion the commenter makes about the suggested modifications relating to parking incentives is that the LUP contains many policies that encourage a relatively rapid transition from automobile reliance and infrastructure to alternative transportation methods that reduce vehicle miles traveled and associated greenhouse gas emissions. This statement is true. However, the LUP also contains policies that call for the maximization of public access for all people. At this time, while the City is taking numerous steps to encourage greater use of public transit, bikes, and other less car-centric transportation options, many people, especially those who do not live close to the coast, still rely on cars to access the coast. The City did not provide adequate evidence that the reduced and/or eliminated parking standards would not impact public access opportunities.

Based on the LUP’s public access policies alone, the modification relating to parking resources is required. The Amendment as submitted would allow new EDB projects that include a 100% affordable residential component with no parking at all; however, the City did not provide any evidence that such projects, which could include uses not related to affordable housing, would not generate new parking demand. Failure to provide adequate onsite parking for residents and other users would result in the displacement of on-street parking available for members of the public, including beachgoers. Commission staff worked collaboratively with City staff to address this issue, and based on data from

several affordable housing projects previously approved by the Commission, developed Suggested Modification 2, which requires new affordable housing provide no more than 0.25 parking spaces per unit. Although this standard is a significant reduction from the parking standards for new residential development required by the certified LCP and the parking requirements proposed by the City for mixed-income EDB projects, this reduction in parking standards is appropriate to provide adequate parking for new fully affordable housing developments based on analysis of parking demand associated with similar developments.

To respond to the commenter's contention that the three parking policies called out in the staff report are unclear and/or not applicable: The LUP policies relating to parking are called out in the section of the staff report that explains why the City's IP amendment, as proposed, is not adequate to carry out the LUP. Thus, the commenter's suggestion that none of the policies justify the suggested modification is not relevant because the public access policies justify the modification as explained in the findings for approval of the IP amendment if modified as suggested. The commenter also points out that the first policy requiring retention of public parking resources is not applicable. The policy was misidentified and does apply to the Belmont Pier Planned Development District, which does not appear to contain any EDB-eligible properties. Regarding the second referenced parking policy that requires construction to adhere to zoning requirements (General Traffic Recommendation 1.A), the commenter asserts that the reference does not support the findings for denial of the IP amendment as submitted because the proposed ordinance would then become the certified zoning requirements. The inclusion of this policy reference is intended to show that at the time of certification, the LUP policies included ones that aimed at ensuring adequate parking is required, which serves to avoid impacts to public parking stock. Regarding the third policy listed (General Statement Regarding Entire Area), the commenter asserts that since it only applies in Area A of the coastal zone, it cannot be a basis for imposing a suggested modification. However, as stated previously, the references to these policies are included in the section of the staff report for denial of the IP amendment as submitted. In other words, the proposed EDB parking standards were not adequate to carry out this policy in that area, but as modified, parking standards would be analyzed using a coastal resource impact lens if such conflicts arise.

- (4) Commission staff discussed AB 2097 in the context of this LCP amendment with City staff. AB 2097 requirements were not originally included because the subject ordinance was drafted and adopted before the law was enacted. The outcome of the discussion was a mutual understanding that AB 2097 would still apply to any applicable development project, including EDB projects near the Downtown area, and that the City could address the new law in its LCP if it so chooses pursuant to a future amendment. Thus, pursuant to AB 2097, parking would not be required for eligible EDB projects within a half mile of a major transit stop.

In conclusion, while City staff agree with and understand how to implement the proposed IP amendment, an additional clarification is made to the language suggested to be included in the new EDB chapter and an error is corrected.

III. REVISIONS TO THE STAFF REPORT

The following modifications and corrections are made to the staff report dated May 25, 2023. For the following change to the suggested modifications (subsection a), the City's adopted language is shown in plain text. The suggested modification, as stated in the staff report, is shown in underlined text, and language to be added to the modification is shown in **bold, underlined text**. For changes to the staff report (subsections b-), the language of the staff report is in plain text, additions are identified using underlined text, and deletions are shown in ~~strikethrough text~~.

- a) Modify Suggested Modification 1, Section 21.68.070 at the bottom of page 7 as follows:

[...] A. The following are the by-right "on menu" concessions/incentives that an EDB project may request based on the number of concessions/incentives a project is eligible for per the concession/incentive Tables set forth above. In the coastal zone, concessions/incentives including but not limited to parking and open space concessions/incentives shall only be authorized or allowed by-right if there will be no 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.: [...]

- b) Modify Footnote 6 at the bottom of page as follows:

~~LCP Document, Subarea D, General Development and Use Standards, Parking, states: The existing number of public parking spaces shall be retained...;~~ LCP Document, General Traffic Recommendation 1.A states: [...]

- c) Modify the last full paragraph on page 10 as follows:

The incentives...In addition, Inclusionary Housing Projects—new residential projects located in Downtown ~~(partly in the coastal zone)~~ and Midtown that are already required to provide affordable units—are eligible for fewer concessions than Non-Inclusionary Housing Projects. [...]

- d) Modify the paragraph in the middle of page 11 as follows:

The proposed IP amendment applies throughout the coastal zone, but there are only a handful of areas where properties eligible for EDB concessions are located (**Exhibit 4**). These areas include ~~Downtown~~, Alamos Beach, Belmont Pier, Belmont Shore, Belmont Park, Bixby Village, and Alamos Bay Marina. Only ~~the Downtown area and a small part of the Alamos Beach neighborhood contain or are~~ located close to a Major Transit Stops, as defined in the ordinance, and Bixby Village contains or is close to a High Quality Transit corridor. [...]

CALIFORNIA COASTAL COMMISSION

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June 13, 2023

Christopher Koontz, Planning Bureau Manager
Long Beach Development Services
411 West Ocean Boulevard – 3rd Floor
Long Beach, CA 90802

Re: Long Beach Local Coastal Program Amendment No. LCP-5-LOB-21-0088-2

Dear Christopher Koontz:

You are hereby notified that the California Coastal Commission, at its June 8, 2023 virtual meeting, approved with modifications Local Coastal Program (LCP) Major Amendment No. LCP-5-LOB-21-0088-2. LCPA No. LCP-5-LOB-21-0088-2 amends Implementation Plan portion of the certified LCP to add enhanced density bonus regulations.

The Commission approved the LCP amendment with suggested modifications. The suggested modifications are attached. Therefore, LCPA No. LCP-5-LOB-21-0088-2 will not be effective for implementation in the City's coastal zone until: 1) the Long Beach City Council adopts the Commission's suggested modifications, 2) the City Council forwards the adopted suggested modifications to the Commission by resolution, 3) the Executive Director certifies that the City has complied with the Commission's June 8, 2023 action, and 4) the Commission concurs with the Executive Director's determination that the action by the City Council adopting the suggested modifications is legally adequate. The Coastal Act requires that the City's adoption of the suggested modifications be completed within six months of the Commission's June 8, 2023 action. Therefore, the deadline for City Council adoption in this case is **December 8, 2023**.

Thank you for your cooperation and continued coordination on LCP amendments. We look forward to working with you and your staff in the future. If you have any questions, please contact Dani Ziff at dani.ziff@coastal.ca.gov.

Sincerely,


Dani Ziff
Coastal Program Analyst

SUGGESTED MODIFICATIONS

For the following suggested modifications:

Language of the currently certified IP is shown in plain text.

The City's proposed language is shown in underline text.

The Commission's suggested additions are shown in **bold underline text**.

The Commission's suggested deletions are shown in ~~**bold strike out text**~~.

The following suggested modifications, prepared in collaboration with City of Long Beach staff, are necessary to carry out the provisions of the certified LUP:

Suggested Modification 1: Remove references to regulations that are not currently part of or proposed to be added to the certified LCP and clarify that density bonus projects must comply with the certified LCP in the coastal zone.

21.25.506.A Findings Required, Development Projects

...7. The project is in compliance with the housing replacement requirements of **the certified Local Coastal Program Section 21.11.050 of Chapter 21.11 (No Net Loss)** or Section 21.68.040.E of this Chapter, as applicable, and will result in the same or greater number of dwelling units; and in the case of existing affordable dwelling units, that the dwelling units will be replaced at the same or deeper affordability levels, ~~and that applicable tenant protections of the Long Beach Municipal Code will be met.~~

Section 21.68.020 Definitions

A. High Quality Transit Bus Corridor (HQTC)...

B. Inclusionary Unit or Inclusionary Housing Projects: a dwelling unit/project required to be affordable to very low or moderate-income households and subject to an inclusionary housing regulatory agreement in areas subject to Inclusionary Housing Requirements outside of the coastal zone.

~~C.B. Major Transit Stop...~~

~~D.C. Qualifying Project...~~

21.68.060 Eligible concessions/incentives for EDB projects ~~that are not subject to the inclusionary hHousing projects Requirements of LBMC Chapter 21.67~~ ("Non-Inclusionary Projects"). ...

Table 21.68-4 Maximum Number of Concessions for Non-Inclusionary Housing Projects ...

Note: For EDB projects that are ~~subject to the inclusionary hHousing projects Requirements of Chapter 21.67 of the Long Beach Municipal Code ("Inclusionary Projects")~~, including projects in the ~~Downtown (PD-30) and Midtown (SP-1) areas~~, the following Table shall be used to calculate the number of incentives/concessions a project is eligible for. In the ~~Downtown (PD-30) and~~

Midtown (SP-1) areas, incentives/concessions shall be based on the total percent density bonus a project qualifies for (see above, Density Bonus Eligibility and Percentages).

Table 21.68-5 Maximum Number of Concessions for Inclusionary Housing Projects Subject to LBMC 21.67 (“Inclusionary Housing Projects”) ...

Suggested Modification 2: Ensure density bonus concessions/incentives do not adversely impact coastal resources, including public access opportunities.

21.68.040 Procedures.

A. Applicants with qualifying projects and parcels may request use of the EDB Chapter provisions and procedures, or the State Density Bonus provisions and procedures (Government Code 65915), but may not utilize both programs in order to increase density or otherwise qualify for project incentives. **Neither the EDB Chapter provisions nor State Density Bonus Law supersede or in any way alter or lessen the effect or application of the Coastal Act and the LCP. Any incentives, concessions, waivers, and/or density bonuses applied to proposed projects via application of State Density Bonus Law shall only be allowed if coastal resources are protected as required by the Coastal Act and the LCP.**

...

21.68.070 Types of eligible concessions/incentives.

A. The following are the by-right “on menu” concessions/incentives that an EDB project may request based on the number of concessions/incentives a project is eligible for per the concession/incentive Tables set forth above. **In the coastal zone, concessions/incentives including but not limited to parking and open space concessions/incentives shall only be authorized or allowed by-right if there will be no 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.:**

1. A floor area ratio (FAR) increase of forty (40) percent per concession;
2. A fifteen (15) percent reduction in non-residential parking per concession;
3. A thirty (30) percent reduction in open space per concession;
4. An allowance for all shared/public (in lieu of private) open space;
5. An averaging of floor area ratio (FAR), density, parking, open space or access across zones (one (1) incentive per development standard averaged);
6. A fifteen (15) percent reduction in transitional height requirements;
7. A thirty (30) percent reduction in an individual setback per concession (maximum one (1) incentive per side or front yard with a maximum of two (2) incentives on the rear yard);

8. A maximum of one (1) additional story in height in the Base and HQTC areas and a maximum of three (3) additional stories in height in the Major Transit Stop area.

...

21.68.090 Parking requirements.

Parking. EDB projects are eligible for **off-street** parking reductions and may avail themselves of either the reductions offered by the State regulations or the parking reductions offered by Table 21.68-6. Projects may use either of the reductions, but not both. EDB projects **outside of the coastal zone** comprised of one hundred (100) percent affordable units shall not be required to provide on-site parking. **In the coastal zone, EDB projects comprised of one hundred (100) percent affordable units shall be required to provide off-street parking in accordance with Table 21.68-7.**

Table 21.68-6 EDB Parking Ratio Table

<u>0-1 Bedrooms</u>	<u>1 space/unit</u>
<u>2-3 Bedrooms</u>	<u>1.25 spaces/unit</u>
<u>4+ Bedrooms</u>	<u>2 spaces/unit</u>
<u>Commercial Parking</u>	<p><u>Outside the Coastal Zone: First 6,000 square feet exempt; certified zoning code parking requirements apply beyond 6,000 square feet.</u></p> <p><u>Within the Coastal Zone: Certified zoning code parking requirements apply.</u></p>

Table 21.68-7 EDB Parking Ratio Table for Projects in the Coastal Zone Comprised of One Hundred (100) Percent Affordable Units

<u>0-1 Bedrooms</u>	<u>0.25 space/unit</u>
<u>2-3 Bedrooms</u>	<u>0.25 spaces/unit</u>
<u>4+ Bedrooms</u>	<u>0.25 spaces/unit</u>

<u>Nonresidential Parking</u>	<u>Certified zoning code parking requirements apply</u>
--	--

Suggested Modification 3: Fix typographical error.

Table 21.68-1

...Footnote (*): Use of 3% and 4% affordability components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the Base Area and be eligible for a 15% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

FINDINGS

Enhanced Density Bonus Code Zoning Code Amendment (ZCA)

Application No. 2012-25 (ZCA20-017)

September 19, 2023

The Long Beach Municipal Code (LBMC) does not require specific findings for the adoption of a Zoning Code Amendment. The proposed Amendment, however, is consistent with State law and guidelines and applicable elements of the City's General Plan; will not adversely affect the character, livability or appropriate development of the City; and is in conformity with public necessity, convenience, general welfare, and good planning practice. The City of Long Beach makes these findings in support of its adoption of the proposed Enhanced Density Bonus (EDB) - Zoning Code Amendment.

The Zoning Code Amendment is consistent with objectives, principles, and standards of the General Plan. The Zoning Code Amendment (ZCA) would not conflict with the City's General Plan, the 2010 Strategic Plan, local coastal program, or any other applicable land use plans and policies. The purpose of the proposed code amendments is to facilitate the development of housing units to help meet the City's Regional Housing Needs Assessment (RHNA) by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units. The ZCA is consistent with goals, policies, and strategies in the Land Use Element (LUE), Housing Element (HE), and Mobility Element (ME) of the General Plan by facilitating and incentivizing a range of housing units Citywide, including affordable housing, with a focus on locating housing near transit. The Project is designed to implement both the LUE and HE by helping to address the existing and forecasted need for housing in the City and to help meet the 26,502 housing unit RHNA allocation for Long Beach as part of the 6th cycle Housing Element update.

Overall, the Project does not introduce uses that are materially different from those otherwise permitted in the respective PlaceTypes or zoning districts. The Project would allow for mixed-use or wholly residential development projects in zoning districts that allow such uses. While the Project may change allowable density, intensity, or height on individual development sites, overall total development levels and numbers of housing units are not anticipated to exceed those contemplated Citywide under the 2019 LUE. The Project includes a clause that the Enhanced Density Bonus Ordinance would sunset if any of these conditions are met:

- On October 1, 2030 unless extended by City Council
- The City fulfills its 6th Cycle RHNA requirements for Very Low, Low and Moderate-Income Units.

Furthermore, the General Plan LUE includes implementation measure LU-M-25 to amend the Zoning Regulations to include flexible standards targeted for infill development. LUE Measure LU-M-26 also supports amendment of Title 21 of the Municipal Code to allow

higher density development and new infill opportunities. The EDB ordinance is also consistent with the following General Plan policies:

Land Use Element (LUE)/Urban Design Element (UDE) policies:

- LU Policy 1-2: Support high-density residential, mixed-use and transit-oriented development within the downtown, along transit corridors, near transit stations and at neighborhood hubs;
- LU Policy 12-1: Allow a variety of housing types in new residential developments with the goal of establishing new opportunities for persons of varied income ranges, ages, lifestyles and family needs;
- LU Policy 12-2: Encourage the provision of housing opportunities, services, and amenities for all income levels, age groups, and household types, with opportunities to age in place;
- LU Policy 13-1: Promote an equitable distribution of housing types for all income and various cultural groups throughout the City; avoid creating concentrations of below-market-rate housing in underserved and low-income neighborhoods.
- LU Policy 13-2: Provide new housing opportunities in neighborhood-serving centers and corridors, within transit-oriented development areas and downtown; and
- Policy UD 14-2: Acknowledge transitions between commercial and residential uses by requiring new development in higher-density centers and corridors to transition in height, massing, scale, and intensity in a thoughtful way to provide a buffer to lower density residential development.

This proposed ZCA supports planning and zoning best practices, builds upon existing studies, and provides another strategy to facilitate housing production to address the housing crisis. The ZCA is an early implementation measure of the 6th Cycle Housing Element Update and will help fulfill the City's 6th Cycle RHNA allocation. Additionally, the proposed ZCA is intended to help make progress toward Goal #4 in the current Housing Element, which is to provide increased opportunities for the construction of high quality housing. The ZCA specifically will implement Policy 4.2, which encourages a balance of rental and homeownership opportunities, including high quality apartments, townhomes, condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community...; Policy 4.5, which encourages residential development along transit corridors, in the downtown and close to employment, transportation and activity centers; and encourage infill and mixed-use developments in designated districts. Lastly, the ZCA is consistent with principles contained in the Mobility Element that support "complete neighborhoods" in which daily destinations are within walkable or bikeable distance (ME, p. 7).

The ZCA also builds upon policy recommendations adopted by City Council on May 2, 2017 that were prepared by the Affordable and Workforce Housing Study Group, appointed by the Mayor, to address the affordable housing crisis in the City, as well as

the Everyone Home Long Beach¹ report, which City Council received and filed in December 2018. These zoning code changes respond to this identified need and do so with zoning tools that provide incentives while respecting community context through implementation of policies from the Urban Design Element (UDE) of the General Plan, including Policy UD 14-2 which calls for new development in higher-density centers and corridors to transition in height, massing, scale, and intensity in a thoughtful way to provide a buffer to lower density residential development. Additional General Plan policies that the ZCA is consistent with can be found in the staff report for the ordinance. Lastly, the proposed EDB helps implement the City's Climate Action & Adaptation Plan (CAAP), by providing incentives to focus the greatest amount of housing near high-quality transit and jobs to reduce emissions associated with automobile usage.

The proposed Zoning Code Amendment will not adversely affect the character, livability or appropriate development of the City, and is in conformity with public necessity convenience, general welfare, and good planning practice. The City of Long Beach adopted the State density law in 1988, with a most recent local update in 2006, to provide density bonuses consistent with the State Density Bonus Statute for projects that include lower income housing, moderate income condominiums, and housing for seniors and disabled residents. The State Density Bonus has only been used a few times in the past two decades due to regulatory and physical constraints and has proven to be ineffective in generating affordable housing as a component of market-rate development.

The proposed Enhanced Density Bonus project involves amendments to the City's Municipal Code, primarily to Title 21 (Zoning Ordinance) to establish regulations to allow a "bonus" of increased density, development standard concessions, and other incentives in exchange for increased levels of affordable housing and other desired services such as on-site childcare, in order to facilitate the development of mixed-income, multifamily housing Citywide, with increased density bonuses and incentives focused in high quality transit areas. This is consistent with planning best practices for facilitating needed housing to address the welfare of the community and focusing housing near transit and jobs to reduce carbon emissions associated with transportation. EDB projects would be subject to the Site Plan Review process to ensure compatibility with the surrounding neighborhood. This code amendment is designed to help address a well-documented community need for affordable housing and the need for a diverse housing stock. The change is consistent with good planning practice and furthers the public interest to promote development and investment that is consistent with the General Plan.

The proposed Zoning Code Amendment is consistent and compliant with the California Environmental Quality Act (CEQA). No adverse environmental impacts are expected as a result of the proposed action. The project involves legislative changes; no development project is contemplated at this time. Although the proposed Project could result in larger individual projects than if the proposed Project were not in place, the total increase in development Citywide under the proposed Project has already been contemplated in the recently updated General Plan Land Use Element (LUE), adopted in

¹ <https://www.longbeach.gov/globalassets/everyone-home-lb/media-library/documents/news/everyone-home-lb-task-force--recommendations-sm-file>

2019. The LUE anticipated buildout contemplated 28,524 housing units, the impacts of which were already analyzed in the Program Environmental Impact Report (EIR) for the LUE. The EDB sunset clauses described in the Project's Administrative Procedures would take effect if the City were to meet its 6th Cycle RHNA housing unit allocation of 26,502 housing units, or by 2030, whichever comes first. Therefore, the scope of development that these incentives may help facilitate does not exceed that which is already contemplated by the recently adopted General Plan LUE Update.

Through implementation of the City's regulatory framework, including the LUE and its companion UDE, any future discretionary project facilitated by the EDB ordinance would include project-specific conditions of approval that minimize its impact on surrounding areas. Subsequent development projects facilitated by the EDB may also have to undergo their own environmental review, as required pursuant to CEQA.

Pursuant to CEQA and the State CEQA Guidelines, an Initial Study/Negative Declaration (IS/ND-08-20, has been prepared for the project and finds that the project will not result in significant effects to the environment.

The modifications proposed by the California Coastal Commission at its June 8, 2023 hearing would ensure that the implementation of the EDB ordinance would consider the protection of coastal resources, including but not limited to coastal access.

Title 21 - ZONING
CHAPTER 21.68 – ENHANCED DENSITY BONUS

CHAPTER 21.68 ENHANCED DENSITY BONUS

21.68.010 Purpose.

The purpose of this Chapter is to create an Enhanced Density Bonus (EDB) incentive program that exceeds and enhances those bonuses and incentives currently provided under the State Density Bonus Law (Government Code Section 65915) that could be utilized by qualifying projects in lieu of, but not in addition to, the State Density Bonus law provisions, in order to facilitate the development of mixed-income, multi-family and special needs housing Citywide, with increased density bonuses and incentives focused in high quality transit areas. The provisions of this Chapter are adopted in order to assist the City in meeting its Regional Housing Needs Assessment (RHNA) requirement through 2029; support inclusionary housing in the City; and implement the goals and objectives of the City's "Everyone Home" program as well as the Land Use Element of the City's General Plan, in order to augment and produce sufficient levels of market-rate and affordable housing across a variety of housing types to meet the demonstrated housing need of the City.

(ORD-21-0034 § 1, 2021)

21.68.020 Definitions.

- A. High Quality Transit Bus Corridor (HQTC): A high-quality transit bus corridor means a corridor with fixed route public bus service with service intervals no longer than fifteen (15) minutes during peak commute hours, as defined by California Public Resources Code 21155.
- B. **Inclusionary Unit or Inclusionary Housing Projects: a dwelling unit/project required to be affordable to very low or moderate-income households and subject to an inclusionary housing regulatory agreement in areas subject to Inclusionary Housing Requirements outside of the coastal zone.**
- ~~BC.~~ Major Transit Stop: A site or location containing a rail station or the intersection of two (2) or more public bus routes with a service interval of fifteen (15) minutes or less during the morning and afternoon peak commute periods, as defined by California Public Resources Code 21064.3. The stations or bus routes may be existing, under construction, or included in the most recent Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP).
- ~~DC.~~ Qualifying Project: A residential or mixed-use project that includes On-Site Restricted Affordable Units at a rate that meets or exceeds the minimum requirements to satisfy the Enhanced Density Bonus Incentives and as set forth in this Chapter. A qualifying project must be proposed on an eligible parcel, and meet or exceed the income thresholds as defined below.
 - 1. Very Low-Income Households as defined in Section 50105 of the California Health and Safety Code.
 - 2. Low Income Households as defined in Section 50093 of the California Health and Safety Code.
 - 3. Moderate Income Households as defined in Section 50093 of the California Health and Safety Code.

(ORD-21-0034 § 1, 2021)

21.68.030 Eligible parcels.

Parcels in the City may be eligible for an Enhanced Density Bonus where any residential uses, including live/work units, are permitted either by the zoning district or the General Plan Place Type designation; and where five (5) or more housing units could be built without a bonus, based on the allowable densities and site size.

(ORD-21-0034 § 1, 2021)

21.68.040 Procedures.

- A. Applicants with qualifying projects and parcels may request use of the EDB Chapter provisions and procedures, or the State Density Bonus provisions and procedures (Government Code 65915), but may not utilize both programs in order to increase density or otherwise qualify for project incentives. **-Neither the EDB Chapter provisions nor State Density Bonus Law supersede or in any way alter or lessen the effect or application of the Coastal Act and the LCP. Any incentives, concessions, waivers, and/or density bonuses applied to proposed projects via application of State Density Bonus Law shall only be allowed if coastal resources are protected as required by the Coastal Act and the LCP.**
- B. All deed-restricted affordable units approved utilizing the provisions of this Chapter shall be deed restricted for a minimum of fifty-five (55) years.
- C. All projects utilizing the provisions of this Chapter are required to undergo Site Plan Review (SPR) in accordance with the provisions set forth in Chapter 21.25.
- D. No density bonus granted in accordance with the provisions of this Chapter shall exceed one hundred (100) percent; and the total number of additional incentives/concessions shall not exceed nine (9), and shall not exceed six (6) incentives/concessions for projects that are also subject to the City's Inclusionary Housing Ordinance (Chapter 21.67).
- E. No-Net-Loss.
 - 1. All projects utilizing the provisions of this Chapter shall be subject to "no-net-loss" provisions that exceed State and City mandated requirements and regulations; and shall include the replacement of any affordable units lost as a result of the approval or construction of the project on a one-for-one basis, in addition to the minimum number of affordable units required by this Chapter (as calculated as a percentage of the total base units). Existing units shall be deemed affordable and subject to the replacement requirement if either the income of the household qualifies as low income at the low, very low or extremely low income levels or if the rent level, regardless of household income, is affordable to low, very low or extremely low income households. The number and affordability levels of the replacement units to be provided shall be determined by both the income level of the household and the rent level of the unit regardless of household income.
 - 2. Applicants shall provide evidence/documentation to the satisfaction of the Director of Development Services, or designee, in order to establish the rent and affordability levels of all individual dwelling units that will, or may, be removed as a result of a proposed project. Such documentation/evidence shall include an accounting of all rents charged for the individual units over the preceding five (5) years. Rent levels will be compared to Average Median Income (AMI) to establish the units' affordability levels. The requirement to provide an accounting of rents for the preceding five (5) years applies retroactively to any units that may have been demolished or vacated within the five (5) year period preceding the application. No demolition or construction permits shall be issued for multifamily developments consisting of five (5) or more residential dwelling units until the required documentation is provided and approved; and an application is submitted to the City that incorporates both replacement and density bonus units for the proposed project.

- F. Rounding and calculations. All calculations for affordable housing requirements, bonuses and/or incentives shall be rounded up to the next whole number.
- G. Affordable unit size, mix and location. Affordable units shall be evenly distributed throughout the project and shall have equal access to on-site amenities. Affordable units shall be generally reflective of the mix of unit sizes and number of bedrooms of the overall project, and shall be comparable to market-rate units in terms of design, and exterior and interior finishes.

(ORD-21-0034 § 1, 2021)

21.68.050 Density bonus eligibility and percentages.

The Tables set forth in this Section establish the percentage of affordable units in a proposed EDB project and the eligible density bonus that can be granted based on the level of affordability for each of three (3) geographic tiers: (1) the Base Area; (2) High Quality Transit Corridors; and (3) Major Transit Stops, as defined above.

Table 21.68-1
Base Area

Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate (Mod)
3(*)	15	3	
4(*)	20	4	
5	25	5	
6	30	10	6
7	35	15	7
8	40	20	8
9	45	25	9
10	50	30	10
11	55	35	15
12	60	40	20
13	65	45	25
14	70	50	30
15		55	35
16		60	40
17		65	45
18		70	50
19			55
20			60
21			65
22			70

Footnote (*): Use of 3% and 4% affordability component only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the Base Area and be eligible for a 15% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

Table 21.68-2
High Quality Transit Corridors

Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate Income (Mod)
3(*)	20	5	
4(*)	25	10	
5	30	15	
6	35	20	6
7	40	25	7
8	45	30	10
9	50	35	15
10	55	40	20
11	60	45	25
12	65	50	30
13	70	55	35
14	75	60	40
15	80	65	45
16	85	70	50
17	90	75	55
18		80	60
19		85	65
20		90	70
21			75
22			80
23			85
24			90

Footnote (*): Use of 3% and 4% affordable components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in the High Quality Transit Corridor and be eligible for a 20% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

Table 21.68-3
Major Transit Stop

Affordable Component	Bonus for Very Low Income (VLI)	Bonus for Low Income (LI)	Bonus for Moderate Income (Mod)
3(*)	35	15	
4(*)	40	20	
5	45	25	6
6	50	30	10
7	55	35	15
8	60	40	20
9	65	45	25
10	70	50	30
11	75	55	35
12	80	60	40

13	85	65	45
14	90	70	50
15	95	75	55
16	100	80	60
17		85	65
18		90	70
19		95	75
20		100	80
21			85
22			90
23			95
24			100

Footnote (*): Use of 3% and 4% affordable components only permissible when the total number of affordable units across multiple restricted income levels equals or exceeds 12% of all units. For example, an applicant may propose 3% Very Low Income (VLI) in a Major Transit Stop eligibility area and be eligible for a 35% density bonus; however, the 3% can only be used in conjunction with one or more other affordable components that total a minimum of 12% affordable units in a project.

(ORD-21-0034 § 1, 2021)

21.68.060 Eligible concessions/incentives for EDB projects that are not subject to the Inclusionary Housing projects Requirements of LBMC Chapter 21.67 ("Non-Inclusionary Projects").

The following Table shall determine how many incentives/concessions a "Non-Inclusionary Project" may be eligible for, based on the percent density bonus a project has qualified for. (See above, Density Bonus Eligibility and Percentages.)

Table 21.68-4
Maximum Number of Concessions for Non-Inclusionary Projects

Concession	Eligible Density Bonus
1	20
2	30
3	40
4	50
5	60
6	70
7	80
8	90
9	100

Note: For EDB projects that are subject to the Inclusionary Housing projects Requirements of Chapter 21.67 of the Long Beach Municipal Code ("Inclusionary Projects"), including projects in the Downtown (PD-30) and Midtown (SP-1) areas, the following Table shall be used to calculate the number of incentives/concessions a

project is eligible for. In the Downtown (PD-30) and Midtown (SP-1) areas, incentives/concessions shall be based on the total percent density bonus a project qualifies for (see above, Density Bonus Eligibility and Percentages).

Table 21.68-5
 Maximum Number of Concessions for **Inclusionary Housing** Projects
 Subject to LBMC 21.67 ("Inclusionary Projects")

Total # Concessions	Eligible Density Bonus (2023 and beyond)	Maximum Concession for Height	Eligible Density Bonus (2022)	Maximum Concession for Height*	Eligible Density Bonus (2021)	Maximum Concession for Height*
3	70	1 story	50	1 story	40	1 story
4	80		70		60	
5	90	2 stories	90	2 stories	80	2 stories
6	100	3 stories	100	3 stories	100	3 stories

*Note: Any height increases on a lot sharing a lot line or across an alley from an R1 or R2 zoned property occupied by a single-family home or duplex, shall step-back any height increase over twelve (12) feet at least ten (10) feet from the exterior face of the ground floor of the building.

(ORD-21-0034 § 1, 2021)

21.68.070 Types of eligible concessions/incentives.

- A. The following are the by-right "on-menu" concessions/incentives that an EDB project may request based on the number of concessions/incentives a project is eligible for per the concession/incentive Tables set forth above. **In the coastal zone, concessions/incentives including but not limited to parking and open space concessions/incentives shall only be authorized or allowed by-right if there will be no 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.:**
1. A floor area ratio (FAR) increase of forty (40) percent per concession;
 2. A fifteen (15) percent reduction in non-residential parking per concession;
 3. A thirty (30) percent reduction in open space per concession;
 4. An allowance for all shared/public (in lieu of private) open space;
 5. An averaging of floor area ratio (FAR), density, parking, open space or access across zones (one (1) incentive per development standard averaged);
 6. A fifteen (15) percent reduction in transitional height requirements;
 7. A thirty (30) percent reduction in an individual setback per concession (maximum one (1) incentive per side or front yard with a maximum of two (2) incentives on the rear yard);
 8. A maximum of one (1) additional story in height in the Base and HQTC areas and a maximum of three (3) additional stories in height in the Major Transit Stop area.
- B. In addition to the above "on-menu" concessions/incentives, an Applicant may propose or request a concession/incentive, not otherwise listed herein, that will be considered "off-menu." Each such concession

proposed or requested shall count as two (2) concessions and shall be subject to review and approval by the Planning Commission based on the physical necessity of the incentive for the provision of the affordable units. Only projects eligible for a minimum of forty (40) percent density bonus may seek an off-menu concession/incentive. No concessions related to signage shall be granted.

C. Height Concessions.

1. A story shall not exceed twelve (12) feet;
2. Each additional story in height counts as one (1) incentive, except that any additional stories in height above one (1) in the Base and HQTC areas shall count as two (2) incentives;
3. Maximum Height Concessions. Projects are limited to a maximum height concession of two (2) stories in the Base area and three (3) stories in the HQTC area. Additional height above one (1) story in both the Base and HQTC areas is considered "off-menu" and is subject to the provisions of 21.68.070.B.
4. Any height increases on a lot sharing a lot line or across an alley from an R1 or R2 zoned property occupied by a single-family home or duplex shall step-back any height increase over twelve (12) feet at least ten (10) feet from the exterior of the ground floor of the building face.

(ORD-21-0034 § 1, 2021)

21.68.080 Special bonuses for large units and on-site childcare.

- A. Projects with large/family units are eligible for additional density bonuses up to an additional twenty (20) percent. Bonuses are additive; however, total bonuses shall not exceed one hundred (100) percent. Eligible projects must provide affordable units, and mix of affordable units must include some proportion of the large units:
 1. More than twenty-five (25) percent two (2) bedroom units of nine hundred seventy (970) square feet (SF) or larger;
 2. More than five (5) percent three (3) bedroom units of eleven hundred forty (1140) square feet (SF) or larger.
- B. Projects with affordable units that equal or exceed twelve (12) percent that also provide an on-site childcare facility are exempt from floor area ratio (FAR) and parking calculations for the childcare use. Such projects are also eligible for one (1) additional incentive from the list set forth in Section 21.68.060.A.

(ORD-21-0034 § 1, 2021)

21.68.090 Parking requirements.

Parking. EDB projects are eligible for **off-street** parking reductions and may avail themselves of either the reductions offered by the State regulations or the parking reductions offered by Table 21.68-6. Projects may use either of the reductions, but not both. EDB projects **outside of the coastal zone** comprised of one hundred (100) percent affordable units shall not be required to provide on-site parking. **In the coastal zone, EDB projects comprised of one hundred (100) percent affordable units shall be required to provide off-street parking in accordance with Table 21.68-7.**

Table 21.68-6
EDB Parking Ratio Table

0—1 Bedrooms	1 space/unit
2—3 Bedrooms	1.25 spaces/unit
4+ Bedrooms	2 spaces/unit
Commercial Parking	<p>Outside the Coastal Zone: First 6,000 square feet exempt; certified zoning code parking requirements apply beyond 6,000 square feet.</p> <p>Within the Coastal Zone: Certified zoning code parking requirements apply.</p>

Table 21.68-7
EDB Parking Ratio Table for Projects in the Coastal Zone Comprised of One Hundred (100) Percent Affordable Units

0—1 Bedrooms	0.25 space/unit
2—3 Bedrooms	0.25 spaces/unit
4+ Bedrooms	0.25 spaces/unit
Nonresidential Parking	Certified zoning code parking requirements apply

(ORD-21-0034 § 1, 2021)

21.68.100 Sunset Clause.

The ordinance will sunset, unless otherwise extended by the City Council, when the City meets its affordable component of its RHNA allocation of 26,502 units, or on January 1, 2030, whichever occurs first.

(ORD-21-0034 § 1, 2021)

DIVISION V. SITE PLAN REVIEW

21.25.506 Findings required.

The Site Plan Review Committee or the Planning Commission shall not approve a site plan review unless the following findings are made:

A. Development Projects.

1. The design is harmonious, consistent and complete within itself and is compatible in design, character and scale, with neighboring structures and the community in which it is located;
2. The design conforms to any applicable special design guidelines adopted by the Planning Commission or specific plan requirements, such as the design guidelines for R-3 and R-4 multifamily development, the downtown design guidelines, PD guidelines or the General Plan;
3. The design will not remove significant mature trees or street trees, unless no alternative design is possible;
4. There is an essential nexus between the public improvement requirements established by this ordinance and the likely impacts of the proposed development;
5. The project conforms with all requirements set forth in Chapter 21.64 (Transportation Demand Management), which requirements are summarized in Table 25-1; and
6. The approval is consistent with the green building standards for public and private development, as listed in Section 21.45.400.
7. The project is in compliance with the housing replacement requirements of **the certified Local Coastal Program** ~~Section 21.11.050 of Chapter 21.11 (No Net Loss)~~ or Section 21.68.040.E of this ~~Title~~**Chapter**, as applicable, and will result in the same or greater number of dwelling units; and in the case of existing affordable dwelling units, that the dwelling units will be replaced at the same or deeper affordability levels, ~~and that applicable tenant protections of the Long Beach Municipal Code will be met.~~

Table 25-1

Transportation Demand Management Ordinance Requirements

TDM Requirements	New Nonresidential Development		
	25,000+ Square Feet	50,000+ Square Feet	100,000+ Square Feet
Transportation information area	◆	◆	◆
Preferential carpool/vanpool parking		◆	◆
Parking designed to admit vanpools		◆	◆
Bicycle parking		◆	◆
Carpool/vanpool loading zones			◆

Efficient pedestrian access			◆
Bus stop improvements			◆
Safe bike access from street to bike parking			◆
Transit review	For all residential and nonresidential projects subject to EIR		



City of Long Beach
Enhanced Density Bonus Ordinance
(March 2021)

NEGATIVE DECLARATION

ND 08-20

Prepared by:

City of Long Beach
Department of Development Services
Planning Bureau

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INITIAL STUDY

Project Title:

City of Long Beach Enhanced Density Bonus Ordinance

Lead agency name and address:

City of Long Beach
411 W. Ocean Boulevard, 3rd Floor
Long Beach, CA 90802

Contact person and phone number:

Cynthia de la Torre
(562) 570-6559

Project Location:

City of Long Beach, County of Los Angeles, California

Project Sponsor's name and contact information:

City of Long Beach, Long Beach Development Services
c/o Patricia Diefenderfer
411 W. Ocean Boulevard, 3rd Floor
Long Beach, CA 90802
(562) 570-6261

General Plan:

The proposed Municipal Code Amendments would cover all General Plan Land Use Districts ("PlaceTypes") that apply to any zoning district that allows residential uses, Specific Plan area, or Planned Development (PD) district in the City of Long Beach.

Zoning:

The proposed Municipal Code Amendments would cover all zoning districts, Specific Plan areas, and all Planned Development districts that allow residential uses in the City of Long Beach.

Project Description:

The proposed Enhanced Density Bonus Ordinance would amend several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of mixed income multi-family housing by establishing regulations that offer a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income housing units. The specific extent of the changes to the LBMC are described as follows:

- I. Changes to Title 21 (Zoning Code) of the LBMC consist of the following:
 1. Creation of Enhanced Density Bonus Geographic Tiers and Development Standards

- a. Delineate geographic tiers as follows: Base Areas, and two tiers within the Transit Priority Areas: Major Transit Stop and High Quality Transit Corridor (HQTC).
- b. Establish projects consisting of 5 or more net new units may be eligible for density bonus.
- c. Establish a provision for escalating affordable housing requirements based on eligibility for up to a 70% density bonus in Base Areas, up to 90% along HQTCs, and up to 100% within one-half mile of a Major Transit Stop.
- d. Establish allowable incentives in the form of development concessions, based on the amount of the eligible density bonus in each of the geographic tiers, up to a maximum of 9 incentives per project.
- e. Exempt eligible projects with on-site childcare facilities from Floor Area Ratio (FAR) and parking calculations for that portion of project, and provide an additional incentive.
- f. Establish height incentives limited to a total of two additional stories in Base Areas and three additional stories in High Quality Transit Areas. Each additional story would count as one incentive.
- g. Apply transitional height restrictions such as a step-back of height increases if the proposed building is adjacent to a single-family home or duplex in an R1 or R2 zone.
- h. Establish the allowable density bonus and maximum number of development concessions for which projects subject to the inclusionary housing ordinance are eligible.

2. Administrative Procedures

- a. Add Zoning Code provisions that limit applicants to request use of either the City's enhanced density bonus ordinance provisions or Government Code 65915, but not both.
- b. Add Zoning Code provisions that identify no-net-loss provisions that exceed the State requirements and include requirements for replacement of existing affordable units, in addition to the Density Bonus minimum affordable housing requirements.
- c. Amend existing LBMC §21.25.506 (Site Plan Review Findings) to add findings to address physical no-net-loss and housing element no-net-loss state mandates by ensuring that the City does not approve a Housing Development Project, as defined in state law and codified in Long Beach Ord-21-0007, that would result in the demolition of existing housing units or would have the effect of reducing the zoned capacity for housing of the City as it existed on January 1, 2018; unless those units are replaced on at least a one (1) to one (1) basis; and in the case of existing low income units, that such units are only demolished if they are replaced, and that certain conditions related to affordability and tenant protections are met;

- d. Amend LBMC Title 18 to allow a project's very low, low, and moderate affordable units to be eligible for waivers from specified development fees, such as parks and recreation and transportation development fees.
- e. Establish sunset clauses in the Enhanced Density Bonus Ordinance if either of these conditions are met:
 - i. October 1, 2030 unless extended by City Council;
 - ii. If the City fulfills its 6th Cycle Regional Housing Needs Assessment (RHNA) requirements for very-low, low, and moderate-income units.

Surrounding land uses and settings:

The City of Long Beach is adjacent to the following municipalities: City of Los Angeles (Wilmington, Port of Los Angeles), Carson, Compton, Paramount, Bellflower, Lakewood, Hawaiian Gardens, Cypress, Los Alamitos and Seal Beach. It is also adjacent to the unincorporated communities of Rancho Dominguez and Rossmoor. In addition, the City of Signal Hill is completely surrounded by the City of Long Beach.

Public agencies whose approval is required:

Long Beach Planning Commission (recommend City Council adopt Negative Declaration 08-20 and approve the Enhanced Density Bonus Ordinance)

Long Beach City Council (adopt Negative Declaration 08-20 and adopt the Enhanced Density Bonus Ordinance)

California Coastal Commission (find that the Enhanced Density Bonus Ordinance is in conformance with the City's Certified Local Coastal Program)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages:

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture / Forestry Resources	<input type="checkbox"/> Hazards and Hazardous Materials	<input type="checkbox"/> Recreation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Transportation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities / Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input type="checkbox"/> Wildfire
<input type="checkbox"/> Geology / Soils	<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Cynthia de la Torre
 Planner

4/29/21
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are supported adequately by the information sources a lead agency cites in the parenthesis following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration; Less Than Significant With Mitigation Incorporation” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (CEQA) process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (per Section 15063l(3)(D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effect were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question;
and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:

a. Have a substantial adverse effect on a scenic vista?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not result in substantial adverse effects to any scenic vistas. The City topography is relatively flat, with scenic vistas of the ocean to the south and Palos Verdes to the west. In addition, distant views of the San Gabriel and San Bernardino Mountains to the north, as well as the Santa Ana Mountains to the east are occasionally available to the public on days of clear visibility (primarily during the winter months).

The Project involves amendments to the City’s Municipal Code, primarily to Title 21 (Zoning Ordinance). The purpose of the proposed code amendments is to establish regulations to allow for increased density bonuses in excess of those permitted by the State Density Bonus Law (Government Code Section 65915) in exchange for increased levels of affordable housing, in order to facilitate the development of mixed-income, multi-family housing Citywide, with increased density bonuses and incentives focused in high quality transit areas.

Of the proposed code amendments, one of the proposed “Development Standards” would create a menu of incentives, including the following “on-menu” height incentives: a 15% reduction in transitional height requirements; a height incentive allowance of a maximum of two stories in the Base Area and three stories in Major Transit Stop and HQTC areas; each additional story would count as a distinct incentive. These amendments would help facilitate the construction of multi-family residential housing and help fulfill the City’s 6th Cycle RHNA, as mandated by State law. The proposed Project could result in larger individual projects than if the proposed Project were not in place; however, the total increase in development Citywide under the proposed Project has already been contemplated in the recently updated General Plan Land Use Element (LUE), adopted in 2019. The LUE anticipated buildout contemplated 28,524 housing units, the impacts of which were already analyzed in the Program EIR for the project. The sunset clauses described in the Project’s Administrative Procedures would take effect if the City were to meet its 6th Cycle RHNA housing unit allocation of 26,502 housing units, or by 2030, whichever comes first. Therefore, the scope of development that these incentives may help facilitate does not exceed that which is already contemplated by the recently adopted General Plan Land Use Element Update.

Through implementation of the City's regulatory framework, including the LUE and its companion Urban Design Element (UDE), any future discretionary project would include project-specific conditions of approval that minimize its impact on surrounding areas. The visual character and quality of the City would be preserved and enhanced through the application of goals, policies, strategies, and development standards outlined in the LUE and UDE. Future development facilitated by the Project would be designed according to the development strategies, policies, and standards in the UDE aimed at guiding the aesthetic character of new development in a manner that would not significantly inhibit or obstruct scenic vistas in the City. The UDE of the General Plan includes policies that individual development projects would need to be consistent with to ensure scenic views are maintained, such as:

- STRATEGY No. 18: Improve and preserve the unique and fine qualities of Long Beach to strengthen the City's image and eliminate undesirable or harmful visual elements.
 - Policy UD 18-1: Carefully consider the development of iconic sites with visual corridors or structures of the highest visual and architectural quality.
 - Policy UD 18-2: Expand the existing network of scenic routes to include additional routes, corridors, and sites.
 - Policy UD 18-4: Prioritize aesthetics to enhance the quality of new and existing developments within scenic areas and iconic sites (page 37).

In addition to the requirement that individual development projects be consistent with UDE policies to minimize impacts, individual projects would also be required to submit detailed plans to the City to ensure consistency with the City's design requirements, including those in the UDE. Subsequent development projects may also have to undergo their own environmental review, as required pursuant to CEQA, but the Project as a standalone zoning code amendment does not result in adverse impacts to scenic vistas.

The Project includes the entire area within the City's limits, including the Coastal Zone, which is regulated by the California Coastal Commission (CCC) under the California Coastal Act (CCA; Public Resources Code [PRC] 30000). Section 30251 of the CCA requires development to be located and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas.

California Code, Public Resources Code (PRC) Section 21099 required the Office of Planning and Research (OPR) to develop revisions to the State CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects within Transit Priority Areas, which are areas within 0.5 mile of

a major transit stop. Such criteria are intended to promote a reduction of greenhouse gas (GHG) emissions, the development of multimodal transportation networks, and a diversity of land uses. The Project intentionally provides the greatest density bonuses for infill sites in these Transit Priority Areas in order to incentivize the greatest amount of housing development near high quality transit. Refer to Exhibit A which maps the Transit Priority Areas in the City, as defined by the California PRC. Also consistent with state law aimed at encouraging housing and infill development near transit, within Transit Priority Areas, aesthetic impacts related to residential, mixed-use residential, or employment center projects on an infill site would not be considered significant impacts on the environment. Outside of Transit Priority Areas, if, during the individual project's review process, a potential for an aesthetic impact is identified, the City may request a shade and shadow study and/or other technical analyses as part of the development review process. Lastly, all individual projects proposed as part of the Project would be required to adhere to the transitional height requirements specified in the Project Description, applicable to development projects proposed adjacent to a single-family home or duplex.

While every future development scenario cannot be anticipated at this time, the Project is not anticipated to result in negative impacts to the City's visual environment, and the primary form of anticipated development due to the Project is expected to take place in Transit Priority Areas for which aesthetic impacts are not considered significant, per state law. Subsequent development projects may also have to undergo their own environmental review, as required pursuant to CEQA, but the Project as a standalone zoning code amendment does not result in adverse impacts to scenic vistas. Therefore, no further analysis of this environmental issue is necessary.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no designated scenic highways located within the City. No scenic resources, trees or rock outcroppings would be damaged due to Project implementation. There would, therefore, be no impact to any scenic resource and no further analysis is required.

c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project

conflict with applicable zoning and other regulations governing scenic quality?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project applies to all properties that allow residential uses within the City of Long Beach, which is an urbanized area, and is surrounded by other urbanized areas. As discussed in I.a. and I.b., the Project is not anticipated to degrade the existing visual character or quality of public views and is not in conflict with applicable zoning or other regulations governing scenic quality.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Future development facilitated by this project would introduce new sources of light to the City that are typical of development projects. Although the proposed Project could introduce new sources of light that would contribute to the light visible in the night sky and surrounding area, the proposed Project is located within a highly urbanized area that is characterized by significant nighttime lighting. New development that is facilitated by the proposed Project would cause light and glare impacts if it would result in the introduction of highly reflective building materials that create glare or do not conform to applicable regulations related to glare. However, through implementation of the City's regulatory framework, any future discretionary project would include project-specific conditions of approval that minimize its impact on surrounding areas. The City reviews site plans and architectural renderings for new projects with an emphasis on the presence of reflective materials and proposed lighting to minimize potential impacts related to light and glare. A standard condition of approval for development projects requires preparation of a final lighting plan and photometric study detailing all exterior lighting fixtures and light standards as part of a project's building permit submittal. Finally, pursuant to Section 21099 of the Public Resources Code, projects that qualify as infill projects in a Transit Priority Area are exempt from having to evaluate impacts related to aesthetics, and as described above, the Project intentionally provides the greatest density bonuses for infill sites in Transit Priority Areas in order to incentivize the greatest amount of housing development near high quality transit, consistent with state law and the City's adopted General Plan Land Use Element.

Future development facilitated by the Enhanced Density Bonus Ordinance would be required to comply with all applicable regulations, including Title 21 of the Long

Beach Municipal Code (Zoning Ordinance), the design standards established in the UDE, and Planned Development/Specific Plan standards, if applicable. These measures are intended to minimize the impact of new sources of light and glare on adjacent land uses, limit lighting to that necessary for security, and ensure that light is shielded to reduce glare and light spillage effects to residential areas.

Although future development that may be facilitated by the Project would introduce new sources of light that would contribute to the light visible in the night sky and surrounding area, the planning area is located in a highly urbanized area that is currently characterized by significant nighttime lighting. Therefore, the proposed Project's impact related to light and glare would be less than significant and no mitigation would be required.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?**

Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as**

**defined by Public Resources Code Section 4526), or timberland zoned
Timberland Production (as defined by Government Code Section
51104(g))?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

d. Result in the loss of forest land or conversion of forest land to non-forest use?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

For Sections II. a., b., c., d. and e. - There are no agricultural zones within the City of Long Beach, which is an urbanized community, surrounded by other urbanized areas. Given that there are no agricultural zones in the City, the Project would have no effect upon agricultural resources within the City of Long Beach or any other neighboring city or within the County.

III. AIR QUALITY

The South Coast Air Basin is subject to some of the worst air pollution in the nation, attributable to its topography, climate, meteorological conditions, large population base, and dispersed urban land use patterns.

Air quality conditions are affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric forces such as wind speed, wind direction, and air temperature gradients, along with local and regional topography, determine how air pollutant emissions affect air quality.

The South Coast Air Basin has a limited capability to disperse air contaminants because of its low wind speeds and persistent temperature inversions. In the Long Beach area, predominantly daily winds consist of morning onshore airflow from the southwest at a

mean speed of 7.3 miles per hour and afternoon and evening offshore airflow from the northwest at 0.2 to 4.7 miles per hour with little variability between seasons. Summer wind speeds average slightly higher than winter wind speeds. The prevailing winds carry air contaminants northward and then eastward over Whittier, Covina, Pomona and Riverside.

The majority of pollutants found in the Los Angeles County atmosphere originate from automobile exhausts as unburned hydrocarbons, carbon monoxide, oxides of nitrogen and other materials. Of the five major pollutant types (carbon monoxide, nitrogen oxides, reactive organic gases, sulfur oxides, and particulates), only sulfur oxide emissions are produced mostly by sources other than automobile exhaust.

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Southern California Association of Governments (SCAG) has determined that if a project is consistent with the growth forecasts for the subregion in which it is located, found in the governing Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), it is consistent with the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP), and regional emissions are mitigated by the control strategies specified in the AQMP. The purpose of the proposed code amendments is to facilitate the development of housing units to help meet the City's Regional Housing Needs Assessment (RHNA) by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units.

The LUE was developed to accommodate the Southern California Association of Government's (SCAG) Integrated Growth Forecast for the 2016/2040 Regional Transportation Plan, which indicates that by 2040 Long Beach will grow nearly four percent to a population of 484,485 residents, which is over 18,000 new persons living in Long Beach. During this same time frame, the City is projected to add 11,700 new households and 28,500 new employees. Given that 12.2% of existing households are experiencing overcrowding, combined with the need to accommodate population growth with new housing units, it is anticipated that a total of 28,524 housing units are needed by 2040 (Land Use Element, p. 31).

The Project is designed both to help implement the LUE and is intended to help address the existing and forecasted need for housing in the City and meet a portion of the 26,502 housing unit RHNA allocation for Long Beach as part of the 6th cycle Housing Element update. The project would sunset if the City were to meet its 26,502 RHNA.

Overall, the Project does not introduce uses that are materially different from those otherwise permitted in the respective zoning districts; the Project would allow for mixed-use or wholly residential development projects in zoning districts that allow such uses. While the Project may change allowable density, intensity, or height on individual development sites, overall total development levels and numbers of housing units are not anticipated to exceed those contemplated Citywide under the 2019 LUE. The Project includes a clause that the Enhanced Density Bonus Ordinance would sunset if any of these conditions are met:

- On October 1, 2030 unless extended by City Council
- The City fulfills its 6th Cycle RHNA requirements for Very Low, Low and Moderate-Income Units.

The Project also establishes caps on total bonus (100%) and number of concessions (9), with greater bonuses directed to transit-rich areas to encourage greater density in these areas, consistent with sustainable development strategies laid out in the SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) that aim to reduce Greenhouse Gas Emissions (GHG) by reducing Vehicle Miles Traveled (VMT).

The total amount of future development was contemplated in both the General Plan and the SCAG RTP/SCS, which informs the AQMP, as it is based on the RTP/SCS. Build-out consistent with the projections within the AQMP does not create impacts beyond those already analyzed in the RTP/SCS and AQMP. Since this Project does not propose any specific developments or increase the height, density, or intensity of land uses in a matter that would conflict with the SCAG growth forecasts, but rather seeks to incentivize development in the areas prioritized by the SCAG RTP/SCS, it would be consistent with the AQMP and, therefore, no further analysis is required.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Implementation of the Project would not lower air quality standards or contribute to an air quality violation. The Project involves municipal code amendments, and

no development project is proposed at this time. The purpose of the proposed code amendments is to amend several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of multi-family housing by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units. All future development projects must comply with all applicable air quality standards and requirements from the regulatory framework, in order to minimize any potential impacts. Any future discretionary projects will undergo a development review process and, as necessary, will be required to conduct technical analysis to ensure that no additional project level impacts related to air quality must be addressed, as identified through an Air Quality and Greenhouse Gas Emission Analysis using the California Emissions Estimator Model (CalEEMod). Therefore, Project would not impact air quality and no further environmental analysis is required.

c. Expose sensitive receptors to substantial pollutant concentrations?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The CEQA Air Quality Handbook defines sensitive receptors as children, athletes, elderly and sick individuals that are more susceptible to the effects of air pollution than the population at large. Facilities that serve various types of sensitive receptors, including, schools, hospitals, and senior care centers, are located throughout the City. Generally, the proposed amendments create an Enhanced Density Bonus program that builds upon the State’s Density Bonus Law and specifies the development standards that would apply to projects that propose additional density and/or concessions offered through the Enhanced Density Bonus Ordinance in exchange for providing affordable housing units. The Project does not introduce new uses that vary significantly from those already found within the City and that are permitted in the respective zones; rather the Project allows for new development projects that are wholly residential or mixed-use residential, particularly in zoning districts and PlaceTypes that already allow residential or mixed-use residential uses. Such areas have already been deemed appropriate and, consequently, zoned for such uses. Any future discretionary projects will undergo a development review process and, as necessary, will be required to conduct technical analysis to ensure that no additional project level impacts must be addressed. Projects must comply with all applicable air quality mitigation measures, compliance measures and project design features in the regulatory framework, in order to minimize any potential impacts. Any future development projects would also be subject to operating standards and conditions specific to their use and are not generally anticipated to generate substantial pollutants nor increase exposure by sensitive receptors. Please see Sections III.a. and b. above for further discussion.

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

Land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources of odors during construction include use of architectural coatings and solvents, and diesel-powered construction equipment. SCAQMD Rule 1113 limits the amount of volatile organic compounds (VOCs) from architectural coatings and solvents, which lowers odorous emissions. The Project would not allow operations that could directly or indirectly result in any significant adverse odors or intensification of odors beyond those typically associated with construction activities. Additionally, through implementation of the City's regulatory framework, any future discretionary project would include project-specific conditions of approval that minimize its impact on surrounding areas. No further environmental analysis is necessary.

IV. BIOLOGICAL RESOURCES. Would the project?

a. Have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Wildlife habitats within the City are generally limited to parks, nature preserves, and water body areas. The Project would not promote activities that would remove or impact any existing or planned wildlife habitats. Additionally, individual projects proposed as part of the Project would be subject to their own environmental review, pursuant to the California Environmental Quality Act (CEQA), as applicable. No further environmental analysis is required.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Implementation of the Project would occur in established urbanized areas and would not remove or impact any riparian habitat or other sensitive natural communities. No further environmental analysis is required.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Future implementation of the Project would occur in established urbanized areas and would not promote or involve alteration of any protected wetland areas. No further environmental analysis is required.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The proposed project involves amendments to the municipal code, and no development project is proposed at this time. Project implementation would occur in established urbanized areas and would not alter or adversely impact any native resident or migratory fish or wildlife species, corridors, or nursery sites. No further environmental analysis is required.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Project implementation would be consistent with the General Plan and in conformity with all local policies and regulations. It would not alter or eliminate any existing or future policy or ordinance protecting biological resources. No further environmental analysis is required.

f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not have any adverse effects on any existing or future habitat conservation plans. Please see Sections IV.a. through e. above for further discussion.

V. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section §15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The City of Long Beach is an urbanized community and nearly all properties within the City (except for areas such as protected park lands) have been previously disturbed and/or developed. The Project would not promote, encourage, or enable activities that could remove, degrade, or in any way adversely impact local historic resources. The Project is intended to result in new development projects that are wholly residential or mixed-use residential, particularly along HQTCS or Major Transit Stops. Individual development proposals will be subject to their own environmental review pursuant to CEQA, as applicable. Projects must also comply with all conditions imposed by the regulatory framework through the development review process in order to minimize any potential impacts. No further environmental analysis is required.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section §15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The project involves municipal code amendments, and no development project is proposed at this time. Implementation of the Project would not result in any specific construction activities involving extensive excavation, and therefore is not anticipated to affect or destroy any archaeological resources due to its geographic location. The proposed municipal code amendments do not lessen existing legal protections of archaeological resources nor tribal consultation requirements on future development projects. Please see Section V.a. above for further discussion.

c. Disturb any human remains, including those interred outside of formal cemeteries?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not propose any activities that would involve extensive excavation that could result in the disturbance of any designated cemetery or other

burial ground or place of interment. Please see Sections V.a. through b. for further discussion.

VI. ENERGY. Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves amendments to the Municipal Code; no development project is proposed at this time. The Project includes amendments to facilitate the development of multi-family housing by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units. Any future development projects and land use activities subject to the provisions of this Project would be required to comply with all applicable regulations, including Long Beach Municipal Code Title 21 (Long Beach Zoning Ordinance) and Part 6 (California Energy Code) of Title 24 (California Building Standards Code). Since Project implementation would not directly or indirectly result in wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, no further analysis is required.

b. Conflict with or obstruct a state or local plan for renewable energy efficiency?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency—see Section VI.a. above.

VII. GEOLOGY AND SOILS. Would the project:

a. Directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death involving:

- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial**

evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves amendments to the City’s Municipal Code and does not involve any construction.

Per Plate 2 of the Seismic Safety Element of the General Plan, the most significant fault system in the City is the Newport-Inglewood fault zone. This fault zone runs in a northwest to southeast angle across the southern half of the City. All land uses subject to the provisions of this Project would be required to comply with applicable building codes that account for the possibility of seismic events. No further environmental analysis is necessary.

ii) Strong seismic ground shaking?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The proposed project involves Municipal Code amendments; no development project is proposed at this time. The Newport-Inglewood fault zone could create substantial ground shaking if a seismic event occurred along that fault. Similarly, a strong seismic event on any other fault system in Southern California has the potential to create considerable levels of ground shaking throughout the City. All future development projects must conform to all applicable State and local building codes relative to seismic safety. Please see Section VII.a.i. above for further discussion.

iii) Seismic-related ground failure, including liquefaction?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per Plate 7 of the Seismic Safety Element, most of the City is in areas of either minimal or low liquefaction potential. The only exceptions are in the southeastern portion of the City, where there is significant liquefaction potential, and the western portion (most of the area west of Pacific Avenue and south of the 405 freeway), where there is either moderate or significant liquefaction potential. The proposed Project involves amendments to the

Municipal Code and does not propose a development project. Therefore, the proposed Project would not result in a seismic-related ground failure, including liquefaction. Please see Section VII.a.i. above for further discussion.

iv) Landslides?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per the Seismic Safety Element, the City is relatively flat and characterized by slopes that are not high (less than 50 feet) or steep (generally sloping flatter than 1-1/2:1, horizontal to vertical). The State Seismic Hazard Zone map of the Long Beach Quadrangle indicates that the lack of steep terrain (except for a few slopes on Signal Hill and Reservoir Hill) results in only about 0.1 percent of the City lying within the earthquake-induced landslide zone for this quadrangle. The proposed Project involves Municipal Code amendments and does not propose any development project. Therefore, no impact would be expected and no further environmental analysis is required. Please see Section VII.a.i. above for further discussion.

b. Result in substantial soil erosion or the loss of topsoil?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The proposed Project involves amendments to the Municipal Code. No development is proposed at this time. Future development projects would be required to adhere to all applicable construction standards regarding erosion control, including best management practices to minimize runoff and erosion impacts from earth-moving activities such as excavation, recontouring and compaction. No further environmental analysis is necessary.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VII.b. above for discussion. All land uses subject to the regulations of the Project would be constructed in compliance with all applicable building code requirements regarding soil stability.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections VII.b. and c. above for explanation.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The entire City is served by an existing sewer system and therefore, has no need for septic tanks or any other alternative wastewater disposal systems. No further environmental analysis is required.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves amendments to the City's Municipal Code and does not propose any excavation or construction and, as such, is not expected to adversely impact any paleontological resources or geologic features.

VIII. GREENHOUSE GAS EMISSIONS. Would the project?

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

California is a substantial contributor of global greenhouse gases (GHGs), emitting over 400 million tons of carbon dioxide per year. Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Methane is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission.

The purpose of the proposed code amendment is to facilitate the development of housing units to help meet the City's Regional Housing Needs Assessment (RHNA) by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income housing units. The Project has been designed direct greater bonuses to transit-rich areas to encourage greater density, consistent with sustainable development strategies laid out in the SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) that aim to reduce Greenhouse Gas Emissions (GHG) by reducing Vehicle Miles Traveled (VMT) by focusing housing development in more transit rich areas closer to jobs.

Specifically, the Project would be consistent with the following strategies on page 49 of the SCAG 2020-2045 RTP/SCS that are intended to be supportive of implementing the regional Sustainable Communities Strategy:

- Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods; and
- Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations).

Ultimately, the Project is designed to create opportunity for more people to both live closer to transit and jobs in Long Beach and potentially contribute to an overall reduction in VMT and as such, a reduction in GHG. Additionally, individual projects would be subject to their own environmental review through CEQA, as applicable. No further environmental analysis is needed.

b. Conflict with an applicable plan, policy, or regulations adopted for the purpose of reducing the emissions of greenhouse gases?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VIII.a. above for discussion. The Project would not permit any land use operations that would conflict with any plans, policies or regulations related to the reduction of GHG emissions. The Project complies with and furthers the goals and specific policies of the City’s draft Climate Action and Adaptation Plan (CAAP), a plan designed to reduce GHGs. One of the primary strategies of the plan is focusing new housing near transit and jobs. No further environmental analysis is needed.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The proposed Project involves amendments to the Municipal Code and does not propose any development project. Any future land uses or activities subject to the provisions of this Project that involve the handling and disposal of hazardous or potentially hazardous materials would be required to fully comply with Long Beach Municipal Code Sections 8.86 through 8.88, as well as all existing State safety regulations. No further environmental analysis is required.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section IX.a. above for discussion.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section IX.a. and IX.b. above for discussion.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. The proposed Project involves amendments to the Municipal Code and does not propose any development project. Any future land uses that would be regulated by the provisions of this Project would not be permitted to create any significant hazards to the public or the environment by operating at a location included in the Cortese List. Please see Section IX.a. above for further discussion.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Long Beach Airport is located within the City, just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The Project would not alter air traffic patterns or encourage future developments that could conflict with established Federal Aviation Administration (FAA) flight protection zones. All future development near the Long Beach Airport would be in compliance with all applicable local and FAA requirements.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not encourage or otherwise set forth any policies or recommendations that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No further environmental analysis is required.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The City is a highly urbanized community, there are no properties located adjacent to wild lands, and there is no risk of exposing people or structures to a significant risk of loss, injury or death involving wildland fires. No further environmental analysis is required.

X. HYDROLOGY AND WATER QUALITY. Would the project:

The Federal Emergency Management Agency (FEMA) has produced a series of Flood Insurance Rate Maps (FIRMs) designating potential flood zones (based on the projected inundation limits as well as the 100-year flood as delineated by the U.S. Army Corps of Engineers).

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

While the Project may change allowable density, intensity, or height in certain zoning districts that allow residential units, the Project does not introduce uses that are materially different from those otherwise permitted in the respective zoning districts. Future development facilitated by the Project would be subject to the development review process and regulatory framework to ensure all impacts are

minimized. The Project includes a clause that the Enhanced Density Bonus Ordinance would sunset if any of these conditions are met:

- On October 1, 2030 unless extended by City Council
- The City fulfills its 6th Cycle RHNA requirements for Very Low, Low and Moderate-Income Units.

The Project would be consistent with all chapters of the General Plan, including the Conservation Element. Activities subject to the provisions of this Project would be required to be in full compliance with all applicable federal, State, and local water quality standards and regulations. No further environmental analysis is required.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section X.a. above for discussion. The City is a highly urbanized community with the water system infrastructure fully in place to accommodate future development consistent with the General Plan.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in a substantial erosion or siltation on- or off-site;

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not encourage or enable any alterations to existing draining patterns or to the course of streams or rivers. Please see Section X.a. above for discussion.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections X.a. and c. above for discussion. Future development will continue to be subject to all applicable regulations that require new development and redevelopment projects that create, add, or replace 500 square feet or more to comply with Low Impact Development (LID) to manage stormwater runoff.

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial sources of polluted runoff; or

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections X.a. and c. above for discussion. The City's existing storm water drainage system is adequate to accommodate runoff from any future land uses subject to the provisions of this Project. The Project would not adversely affect provisions for retention and infiltration of stormwater consistent with the City's LID policies.

iv) impede or redirect flood flows?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section X.a. and c. above for discussion.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

According to Plate 11 of the Seismic Safety Element, most of Long Beach is not within a zone susceptible to tsunami run up or seiche and strong currents. Potential tsunami hazards would be limited to properties and public improvements near the coastline, while harbor and channel areas would be susceptible to seiche and strong currents. While the identified areas can be susceptible to inundation associated with such natural events, any future development project would be subject to the regulations of the zoning district where it is located. Development standards are in place to help mitigate flood risk for development projects located in flood zones, such as measuring height from Base Flood Elevation. The Project itself, which consists of amendments to facilitate the development of multi-family

housing by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units, would not risk release of pollutants due to project inundation; therefore, no further environmental analysis is required.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not directly or indirectly conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan—see Section X.a. above.

XI. LAND USE AND PLANNING. Would the project:

a. Physically divide an established community?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves amendments to the Long Beach Municipal Code. No development is proposed at this time. As such, the Project would not directly or indirectly divide any established community. Overall, the Project does not introduce uses that are materially different from those otherwise permitted in the respective zoning districts. While the Project may change allowable density, intensity, or height in certain zoning districts that allow residential units, it does not change the underlying allowable land uses. The underlying allowable land uses are based on the City’s LUE update, which established PlaceTypes designed to connect rather than divide communities.

Furthermore, the regulatory framework is designed to minimize potential impacts while ensuring development projects exhibit sensitivity to context, such as through UDE policies that require step backs and transitions of buildings to ensure a more cohesive urban fabric. Such UDE policies include:

- Policy UD 14-3: Allow new development projects to respond to their particular context and experiment with alternative development patterns while complementing their PlaceTypes.
- Policy UD 14-6: Ensure new development respects the privacy concerns of adjoining properties and buildings. Building, window, and balcony

orientation should maximize views while preserving the privacy of surrounding neighbors by considering direct sight lines to windows and/or outdoor living spaces on neighboring lots. Minimize obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary.

- Policy UD 14-7: Utilize building form and development strategies in conjunction with PlaceTypes and the interface between buildings and the streets (Strategy 34-35) to create a comprehensive urban fabric (p. 34).

Additionally, the Project is largely intended for infill sites in Transit Priority Areas—refer to the attached map that shows the Transit Priority Areas in the City. Within Transit Priority Areas, aesthetic impacts related to residential, mixed-use residential, or employment center projects on an infill site would not be considered significant impacts on the environment. Lastly, all future development proposals facilitated by the Project would be required to adhere to the Project’s transitional height requirements specified in the Project applicable to development projects proposed adjacent to a single-family home or duplex.

No further environmental analysis is required.

b. Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Section XI.a. above for discussion. The Project would not conflict with the City’s General Plan, Local Coastal Program, or any other applicable land use plans and policies. Rather, the Project is consistent with goals and objectives in the Land Use Element, including for accommodating additional housing and focusing housing near transit and along key commercial corridors, and for accommodating a mix of housing types to meet the needs of all income levels. The Project helps further incentivize housing in those same places. The Project is also consistent with specific policies in the Mobility Element pertaining to reduction of Vehicle Miles Traveled (VMT), and Housing State law.

The purpose of the proposed code amendment is to facilitate the development of housing units to help meet the City’s Regional Housing Needs Assessment (RHNA) by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units. The Project has been designed to afford greater bonuses along transit-rich areas to encourage greater density, consistent with sustainable development strategies laid out in the SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities

Strategy (RTP/SCS) that aim to reduce Greenhouse Gas Emissions (GHG) by reducing Vehicle Miles Traveled (VMT).

Impacts to existing local regulations would, therefore, be less than significant.

XII. MINERAL RESOURCES. Would the project:

Historically, the primary mineral resources within the City of Long Beach have been oil and natural gas. However, oil and gas extraction operations have diminished over the last century as the resources have become depleted. Today, extraction operations continue but on a reduced scale compared to past levels.

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not propose any alteration of local mineral resource land uses, and there are no mineral resource activities that would be altered or displaced by Project implementation. No further discussion is required.

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XII.a. above for discussion.

XIII. NOISE. Would the project result in:

Noise is defined as unwanted sound that disturbs human activity. Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to account for this variability. Noise level measurements include intensity, frequency, and duration, as well as time of occurrence.

Some land uses are considered more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. Residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, parks and outdoor recreation areas are more sensitive to noise than are commercial and industrial land uses.

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves amendments to the City’s Municipal Code and does not propose any construction projects at this time.

Future construction activities related to the provisions of this Project could involve various types of short-term noise impacts from trucks, earth-moving equipment, and paving equipment. However, all construction activities and land use operations must be performed in compliance with the City’s Noise Ordinance, and all future projects must comply with all applicable air quality mitigation measures, compliance measures, and project design features in the regulatory framework in order to minimize any potential impacts. Project implementation would not alter the Noise Ordinance provisions or exempt any future land uses or improvements from local noise controls. The local Noise Ordinance would continue to regulate all future land use construction and operational noise levels. No further environmental analysis of this issue is necessary.

b. Generation of excessive groundborne vibration or groundborne noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XIII.a. above for discussion. Project implementation would occur in compliance with local noise and vibration controls.

c. For a project located within the vicinity of a private airstrip or airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. All future development near the Long Beach Airport would be in compliance with all applicable local and FAA requirements. The Project would not alter air traffic patterns or encourage developments that could conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is necessary.

XIV. POPULATION AND HOUSING. Would the project:

The City of Long Beach is the second largest city in Los Angeles County. At the time of the 2000 Census, Long Beach had a population of 461,522, which was a 7.5 percent increase from the 1990 Census. The 2010 Census reported a total City population of 462,257.

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

As Long Beach moves toward 2040, the Southern California Association of Government’s (SCAG) Integrated Growth Forecast for the 2016/2040 Regional Transportation Plan indicates that Long Beach will grow nearly four percent to a population of 484,485 residents, which is over 18,000 new persons living in Long Beach. During this same time frame, the City is projected to add 11,700 new households and 28,500 new employees. Given that 12.2% of existing households are experiencing overcrowding, combined with the need to accommodate population growth with new housing units, it is anticipated that a total of 28,524 housing units are needed by 2040 (Land Use Element, p. 31).

The Project is intended to help address the existing and forecasted need for housing in the City and meet a portion of the 26,502 housing units needed per the RHNA for the 6th cycle Housing Element update by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units. The Project includes a sunset clause if the City meets its RHNA, or by 2030, whichever comes first.

This proposed Municipal Code amendments do not induce population growth, but rather responds to an existing need for mixed-income housing to accommodate the existing population and projected growth described above, as well as to help address the increased homelessness resulting from a well-documented and chronic housing shortage that exists in the City and the region. The proposed Project could result in larger individual projects than if the proposed Project were not in place; however, the total increase in development Citywide under the proposed Project has already been contemplated in the recently updated General Plan Land Use Element (LUE), adopted in 2019. The LUE anticipated buildout contemplated and analyzed 28,524 housing units. As such, the Project is not expected to directly or indirectly induce population growth. No further environmental analysis is required.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not set forth or encourage any policies, activities or implementation measures that would directly or indirectly displace existing residential units in the City. Rather, the Project is intended to work symbiotically with the No-Net-Loss Housing Ordinance approved by City Council in January 2021, which ensures compliance with SB 330 (the “Housing Crisis Act of 2019) and No-Net-Loss provisions specified in Government Code Section 66300. Additionally, the Project includes amendments to the Municipal Code that would address No-Net-Loss through amending the findings in the City’s Site Plan Review process to ensure that a residential development proposal complies with No-Net-Loss provisions. There are also more stringent No-Net-Loss requirements incorporated into the proposed Enhanced Density Bonus Ordinance that require replacement of existing units that are affordable to lower-income households, whether or not the household in the unit was lower-income. This is in addition to the number of affordable units required in exchange for density bonus and other development concessions to ensure that projects taking advantage of the greater local density bonuses and development concessions do not displace existing affordable units. No further environmental analysis is required.

XV. PUBLIC SERVICES. Would the project:

Fire protection would be provided by the Long Beach Fire Department. The Department has 23 stations in the City. The Department is divided into bureaus of Fire Prevention, Fire Suppression, the Bureau of Instruction, and the Bureau of Technical Services. The Fire Department is accountable for medical, paramedic, and other first aid rescue calls from the community.

Police protection would be provided by the Long Beach Police Department. The Department is divided into bureaus of Administration, Investigation, and Patrol. The City is divided into four Patrol Divisions: East, West, North and South.

The City of Long Beach is served by the Long Beach Unified School District, which also serves the City of Signal Hill, Catalina Island and a large portion of the City of Lakewood. The District has been operating at or over capacity during the past decade.

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could

cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves changes to the City’s Zoning Ordinance to help accommodate existing and projected housing need and are not intended to directly or indirectly induce population growth that could result in increased demand for fire protection services or fire protection facilities. The City’s regulatory framework ensures that future development facilitated by the Project would be reviewed by the City on a project-by project basis and would need to comply with any requirements in effect when the review is conducted, including assessment of project impacts on fire protection services. Prior to the issuance of building permits, future project applicants would be required to pay the adopted fire facilities impact fees. No further environmental analysis is required.

b. Police protection?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Similar to Section XV.a. above, since the Project is not intended to directly or indirectly induce population growth, the Project would not significantly increase demands for police protection service, nor require provision of new police facilities. New development projects will continue to be subject to the development review process and police facilities impact fees.

c. Schools?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Since the Project is not intended to directly or indirectly induce population growth, the Project would not result in any significant increased demand for public school services or facilities. New development projects will continue to be subject to School Impact Fees.

d. Parks?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Since the Project is not intended to directly or indirectly induce population growth, the Project would not generate any significant additional demand for provision of park services or facilities by the City. While the Project would allow for a Park Impact Fee waiver for the affordable units proposed as part of an Enhanced Density Bonus development project, a similar waiver already exists in the Code for certain deed-restricted affordable units and this waiver would narrowly apply to deed-restricted affordable units in a development project. The rest of the development project would still be subject to Park Impact Fees, as applicable.

e. Other public facilities?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

No other impacts have been identified that would require the provision of new or physically-altered governmental facilities. New development projects will continue to be subject to sewer, and storm water impact fees and review by the applicable departments during the development review process to upgrade facilities, as necessary.

XVI. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves changes to the City's Zoning Ordinance to help accommodate existing and projected housing need and is not intended to directly or indirectly induce population growth that could result in increased demand for recreational facilities. Future development facilitated by the Project would be subject to the development review process to minimize any potential impacts. No further environmental analysis is required.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XVI.a. above. No further environmental analysis is required.

XVII. TRANSPORTATION. Would the project:

a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves amendments to the Municipal Code to update code regulations consistent with current land use trends and best practices and will not conflict with a program plan, ordinance or policy addressing the circulation system. The purpose of the proposed code amendment is to facilitate the development of housing units to help meet the City's Regional Housing Needs Assessment (RHNA) by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units. The Project has been designed to direct greater bonuses to transit-rich areas to encourage greater density, helping implement the LUE, which was designed to further the goals and strategies of the City's Mobility Element, which is the circulation element in the City's General Plan. The Mobility Element and its technical appendices, including the Bicycle Master Plan and Downtown, TOD and CX3 Pedestrian Plans, seek to facilitate a more multi-modal transportation network. People are more likely to walk, bike or take transit if they live closer to their primary destinations, including jobs and shopping. Therefore, the LUE and this Project seek to encourage housing close to transit and create more complete communities with access to both housing and jobs by encouraging housing along commercial and mixed-use corridors.

The Project is also consistent with the SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) that aims to reduce Greenhouse Gas Emissions (GHG) by reducing Vehicle Miles Traveled (VMT).

Specifically, the Project would be consistent with the following strategies on page 49 of the SCAG 2020-2045 RTP/SCS that are intended to be supportive of implementing the regional Sustainable Communities Strategy:

- Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods; and
- Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations).

Ultimately, the Project could allow more people to both live and work within the City and potentially contribute to an overall reduction in Vehicle Miles Traveled (VMT) and as such, a reduction in GHG.

The Project is intended to implement the City’s Land Use strategies/policies, the Mobility Element, and strategies contained in the draft Climate Action and Adaptation Plan. No further environmental analysis is required.

b. Conflict with or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XVII.a. for discussion. Since the Project would not encourage or plan for significant traffic growth, there would be no significant impacts on Vehicle Miles Traveled (VMT). As mentioned above, the Project has been designed to afford greater bonuses along transit-rich areas to encourage greater density nearest to transit, consistent with sustainable development strategies laid out in the SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) that aim to reduce Greenhouse Gas Emissions (GHG) by reducing Vehicle Miles Traveled (VMT).

Generally, the Project would encourage more efficient land use patterns that allow a mix of uses that include housing and a wide array of neighborhood-serving commercial uses to locate on the City’s commercial corridors and to improve multi-modal access to such uses by City residents.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not create or encourage any hazardous transportation-related design features or incompatible uses. No further environmental analysis is required.

d. Result in inadequate emergency access?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not propose or encourage any specific land uses or developments or transportation network modifications that would have the potential to result in deficient or inadequate emergency access routes. Additionally, any future land uses within the City would be evaluated individually and would comply with existing development standards that ensure emergency access. No further environmental analysis is required.

XVIII. TRIBAL CULTURAL RESOURCES

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, that is:

i. Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources as defined in Public Resources Code Section 5020.1(k), or

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section V. (Cultural Resources) above. Project implementation would not result in any specific construction activities involving extensive excavation, and therefore would not be anticipated to significantly affect or destroy any Native American tribal cultural resources. While the probability of encountering a tribal cultural resource or human remains is low, any occurrence or discovery is subject to existing protections under California law. No further environmental analysis is required.

- ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XVIII.a. above. The City has no substantial evidence of any significant resource impacted by this change to the Municipal Code. During the development review process for future development projects facilitated by the Project, the City will provide locational information to potentially impacted tribal officials and will conduct formal consultation, as may be required. No further environmental analysis is required at this time.

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:

- a. **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

- b. **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

- c. **Result in a determination by the waste water treatment provider, which serves or may serve the project that has adequate capacity to serve the project's projected demand in addition to the providers existing commitments?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

For Sections XIX.a. through e.: As mentioned prior, while the Project may change allowable density, intensity, or height in certain zoning districts that allow residential units, the Project does not introduce uses that are materially different from those otherwise permitted in the respective zoning districts. Future development facilitated by the Project would be subject to the development review process and regulatory framework to ensure all impacts are minimized. The Project includes a clause that the Enhanced Density Bonus Ordinance would sunset if any of these conditions are met:

- On October 1, 2030 unless extended by City Council
- The City fulfills its 6th Cycle RHNA requirements for Very Low, Low and Moderate-Income Units.

The Project does not introduce uses that are materially different from those otherwise permitted in the respective zoning districts. Overall, the Project is not expected to place an undue burden on any utility or service system.

The City of Long Beach is an urbanized setting with all utilities and services fully in place. Future demands for utilities and service systems have been anticipated in the General Plan goals, policies, and programs for future growth. Additionally, any future discretionary project would be evaluated individually and as appropriate, would require project-specific utilities and service systems modifications. The City's Urban Water Management Plan (UWMP) anticipates a level of population growth in excess of the General Plan, therefore the buildout of the General Plan, including any future development projects, will result in water demand equal to or less than that already anticipated in the UWMP. No further environmental analysis is necessary.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

For Sections XX.a. through d.: The City of Long Beach has not been identified as a Very High Fire Hazard Severity Zone Project by CAL Fire, nor is the City in or near a State Responsibility Area. The Project would amend several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of multi-family housing by establishing an enhanced density bonus incentive program in areas already zoned for housing, that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units, and would not be expected to impair emergency

plans, exacerbate wildfire risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire place.

The Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Lastly, as discussed in Section VII.iv. above, the City is relatively flat and characterized by slopes that are not high (less than 50 feet) or steep (generally sloping flatter than 1-1/2:1, horizontal to vertical). The Project would not be expected to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes. No further environmental analysis is necessary.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- a. **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

As determined in Section IV. Biological Resources and Section V. Cultural Resources, the Project would have no significant adverse impacts on biological or cultural resources. The Project would not degrade the quality of the environment, impact any natural habitats, effect any fish or wildlife populations, threaten any plant or animal communities, alter the number or restrict the range of any rare or endangered plants or animals, or eliminate any examples of the major periods of California history or prehistory.

- b. **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not contribute to any cumulative growth effects beyond what is anticipated for the City's future in the General Plan.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not directly or indirectly cause any substantial adverse effects on human beings. For this reason, the City has concluded that this Project can be implemented without causing significant adverse environmental effects and determined that the Negative Declaration is the appropriate type of CEQA documentation.

REFERENCES

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