



CITY OF LONG BEACH

H-1

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 (562) 570-5237

February 13, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, and adopt Negative Declaration 10-17;

Declare the Ordinance amending various sections of Title 21 of the Long Beach Municipal Code (Zoning), relating to Unattended Donation Boxes, read the first time and laid over to the next regular meeting of the City Council for final reading; and,

Adopt a Resolution directing the Director of Development Services to submit a request to the California Coastal Commission to certify an amendment to the Certified Local Coastal Program. (Citywide)

DISCUSSION

On April 11, 2017, the City Council adopted an Ordinance establishing a one-year moratorium relating to the establishment, installation, placement, construction, expansion, or issuance of permits for the use of unattended donation/recycling collection boxes in or on any private or public property in the City, pursuant to the provisions of Chapter 21.50 of the Long Beach Municipal Code (LBMC), "Interim Prohibition of Uses." The Development Services Department and the Planning Commission were directed to study potential amendments to the LBMC relating to non-permanent, unattended donation boxes in the City.

Unattended donation boxes (UDBs) are receptacles that typically accept donations of textiles, clothing, shoes, books and/or other salvageable personal property to be used by an operator for distribution, resale, or recycling. These receptacles are typically brightly colored and stand up to seven feet high. Generally, UDBs are placed outside at grocery stores, gas stations, schools, commercial parking lots, and various other types of businesses. UDB operators include both non-profit organizations that operate locally, as well as non-local organizations that may resell donations for a profit. Currently, UDBs are not specifically addressed in the Long Beach Zoning Code and are, therefore, not a permitted use under the City's zoning code structure.

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On January 4, 2017, the Planning Commission (Exhibit A – Planning Commission Report) held a public hearing on UDBs. The Planning Commission received a staff presentation, closed the public hearing, deliberated, and in its advisory capacity to the City Council, found the amendment consistent with the General Plan. The Planning Commission unanimously recommended that City Council approve the Zoning Code Amendment. The following provides an overview of the proposed regulations in the draft Ordinance as recommended by the Planning Commission (Exhibit B – Draft Zoning Code Amendment – Unattended Donation Boxes (UDBs)).

Unmonitored UDBs can become a public nuisance as they can create visual blight, attract trash, debris, graffiti, impede circulation, public safety and aesthetic standards. The intent of the proposed Zoning Code Amendment is to recognize UDBs as a permitted accessory use, and to establish development standards to regulate their use in a manner that minimizes potential impacts.

UDBs would be allowed as an accessory use to an existing primary commercial or institutional use. This would allow UDBs to be permitted in all commercial zoning districts, all Planned Development (PD) districts, and Specific Plan (SP) areas that allow commercial uses, and in Institutional zoning districts. UDBs would not be allowed on vacant lots, regardless of the underlying zoning.

New development standards are proposed to guide the appropriate location, placement, operation, and maintenance of donation receptacles to reduce potential public nuisance repercussions from unmonitored UDBs. To avoid proliferation of UDBs, only one UDB shall be permitted within 1,000 feet of an existing UDB. A second UDB for the same parcel could be approved if, after 90 days of operation with a daily pick-up schedule, the UDB was experiencing a consistent overflow of donated items.

A UDB permit would require both the property owner and box operator to acknowledge and accept the Guidelines for the establishment and operation of a UDB. No UDB permit is required if the UDB is located within an enclosed building, or if it is accessory to a principal activity on the site that is owned or operated by the collection box operator, such as the administrative office of a non-profit organization. The development standards, however, are applicable to all UDBs.

The development standards include location requirements to ensure proper placement of a UDB while maintaining a zone's underlying setback, and not causing interference with other requirements, such as landscaping, parking spaces, drive aisles, walkways, ingress and egress, etc. Visibility is a critical component for the safe operation of the UDB, so adequate lighting shall be provided with the use of dusk to dawn photocell-controlled light source for the collection area, as well as having a clear line of sight from a building on site or the public right-of-way.

HONORABLE MAYOR AND CITY COUNCIL

February 13, 2018

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To avoid visual blight, containers shall be constructed of durable material and be kept in good operating condition. For safety and security purposes, a UDB shall have a maximum height of 6 feet with a maximum floor area of 25 square feet and include a tamper-resistant locking mechanism for all collection openings to discourage scavenging.

Essential signage shall be required with each UDB. Important facts shall be posted on the box in a conspicuous location, for both informational and emergency purposes. This information shall include contact information for both the operator and property owner, the type of material that may be deposited, and a pick-up schedule. Both non-profit and for-profit organizations may have a UDB. If applicable, a statement shall be included describing the nature of the donation (e.g., charitable cause), and a Federal Tax identification number if the donation is tax deductible. To discourage illegal dumping, signage adjacent to the UDB shall state "No material shall be left outside of the Unattended Donation Box."

To encourage minimal environmental impacts, the site shall be maintained free of blight. Consistent maintenance of the UDB container shall be required, including graffiti abatement, and adequate pick-up service per the schedule posted on the box, with additional pick-ups required if overflow or blight conditions are found to exist. To minimize noise impacts to adjacent properties, hours of servicing UDBs shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 10:00 a.m. and 6:00 p.m. on weekends. The UDB operator shall also be required to maintain an active email address, and a 24-hour telephone service with recording capability for the public to register complaints.

The proposed Ordinance was crafted in consideration of First Amendment rights in accordance with the Sixth Circuit of the Federal Court of Appeals findings that UDBs are entitled to First Amendment protection. A ministerial UDB approval would be required to operate a UDB. Ministerial applications are based on established regulations, with no discretion and do not require a public hearing. The use of a ministerial process is consistent with protection of First Amendment rights, because the regulations provide clarity and certainty as to the time, place, and manner in which UDBs can be permitted.

This recommendation is consistent with the General Plan, specifically upholding the Land Use Element's emphasis on maintaining and improving the quality of life and the Public Safety Element's emphasis on creating safer physical environments.

Public hearing notices were published in the Long Beach Press-Telegram and distributed on January 30, 2018, and no responses were received as of the date of preparation of this report. Any responses and comments received will be conveyed to the City Council prior to the public hearing.

In accordance with the Guidelines for implementation of the California Environmental Quality Act (CEQA), a Negative Declaration (ND 10-17) was prepared for the proposed UDB Ordinance (Exhibit C). The Negative Declaration was made available for a 30-day

public review and comment period that began on November 14, 2017, and ended on December 13, 2017. No comment letters were received.

This matter was reviewed by Assistant City Attorney Michael J. Mais on January 25, 2018 and by Budget Analysis Officer Julissa José-Murray on January 25, 2018.

TIMING CONSIDERATIONS

City Council action is requested on February 13, 2018. Section 21.25.103 of the Zoning Regulations requires presentation of this request to the City Council within 60 days of the Planning Commission hearing, which took place on January 4, 2018. The City Council-initiated one-year moratorium for UDBs will expire in April 2018.

FISCAL IMPACT

There are no fiscal or local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



TOM MODICA
INTERIM DIRECTOR OF DEVELOPMENT SERVICES

TM:LFT:CT:ag
P:\Planning\City Council Items (Pending)\Council Letters\2018\2018-02-13\UDB City Council Letter v3.docx

APPROVED:



PATRICK H. WEST
CITY MANAGER

Attachments: Ordinance – Amending Sections of Title 21
Resolution – Requesting California Coastal Commission Certify Amendment to LCP
Exhibit A – Planning Commission Report – January 4, 2018
Exhibit B – Draft Zoning Code Amendment – Unattended Donation Boxes (UDBs)
Exhibit C – Negative Declaration 10-17

OFFICE OF THE CITY ATTORNEY
CHARLES PAULSON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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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 TABLE 21.32 IN
CHAPTER 21.32, AND TABLE 34-1 IN CHAPTER 21.34;
AND BY ADDING SECTIONS 21.15.3155 AND 21.51.294,
ALL RELATED TO UNATTENDED STORAGE BOXES

The City Council of the City of Long Beach ordains as follows:

Section 1. Table 32-1 of Chapter 21.32 of the Long Beach Municipal
Code is amended to read as shown on Exhibit "A."

Section 2. Table 34-1 of Chapter 21.34 of the Long Beach Municipal
Code is amended to read as shown on Exhibit "B."

Section 3. The Long Beach Municipal Code is amended by adding
Section 21.15.3155 to read as follows:

21.15.3155 "Unattended Donation Box" means any unstaffed drop-
off box, container, receptacle, or similar device that is used for soliciting
and collecting donations of clothing or other salvageable personal property.
This term does not include recycle bins for the collection of recyclable
material (such as beverage containers) governed or regulated by the
Zoning Code.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

1 Section 4. The Long Beach Municipal Code is amended by adding
2 Section 21.51.294 to read as follows:

3 21.51.294 Unattended Donation Box (UDB).

4 An Unattended Donation Box (UDB) is permitted as an accessory
5 use to an existing nonresidential activity on the same site provided it meets
6 the following standards:

7 A. Permit Required.

8 1. An UDB permit is required for an unattended donation
9 box (UDB). A permit is not required for UDBs that are enclosed within a
10 principal building or are accessory to a principal activity on a property
11 owned or leased by the box operator. However, all UDBs shall meet all
12 other requirements of Chapter 21.51.294.

13 2. One UDB is permitted per site. A second UDB may be
14 allowed if documented evidence is submitted that a second box is required
15 due to the volume of items delivered to the site. A UDB must be operating
16 at a site for at least ninety (90) days in order to establish that a second box
17 is required for overflow items, and after pick-up has been increased to a
18 daily basis.

19 3. The UDB permit shall require the property owner's
20 approval.

21 4. The UDB permit applicant shall be the UDB operator
22 and the permit may not be transferred, conveyed or otherwise assigned to
23 another person or entity.

24 5. The UDB permit applicant shall have an active City
25 Business License.

26 B. Location.

27 1. An UDB shall not be located on a vacant lot.

28 2. No UDB shall be located within one thousand feet

1 (1,000') from any other UDB, except secondary boxes permitted for
2 overflow donations on the same site.

3 3. No UDB shall be located within required areas of
4 landscaping, parking spaces, drive aisles, walkways, handicapped
5 accessibility routes, building ingress and egress, easements, trash
6 enclosures or waste disposal areas or the public right-of-way.

7 4. UDBs shall have a minimum setback of twenty (20) feet
8 from the public right-of-way and five feet (5') from any property line, or meet
9 the setback requirements of the underlying zone, whichever is greater.

10 5. The donation/collection area shall have a clear line of
11 site from the principal building located on the property or the public right-of-
12 way.

13 6. UDBs shall be located within ten feet (10') of a dusk to
14 dawn photocell-controlled light source of at least one foot (1') candle. If
15 security is determined to be an issue, a greater foot candle may be utilized,
16 provided lights are directed and shielded to prevent light and glare from
17 intruding onto adjacent sites.

18 C. Standards.

19 1. UDBs shall be constructed of durable and waterproof
20 materials.

21 2. UDBs shall be placed on a paved surface.

22 3. Maximum height is six feet (6').

23 4. Maximum floor area is twenty-five square feet (25 sq.ft)
24 (25 x 6 = 150 cubic feet).

25 5. UDBs shall have a tamper-resistant locking mechanism
26 for all collection openings.

27 D. Signage.

28 1. UDBs shall have contact information, including the

1 name, address, email and phone number of both the operator and parcel
2 owner/owner agent, posted on the box in a conspicuous location.

3 2. UDBs shall identify the type of material that may be
4 deposited and post a pick-up schedule on the box.

5 3. If applicable, the UDB shall identify the charitable
6 cause that will benefit from the donations and the Federal Tax identification
7 number of the nonprofit organization.

8 4. The property containing the UDB shall display a sign
9 not to exceed ten square feet (10 sq.ft.) with text in at least two-inch (2")
10 typeface stating that no material shall be left outside of the UDB. This sign
11 shall be placed in a visually conspicuous location within a radius of twenty
12 feet (20') from the UDB.

13 E. Maintenance.

14 1. The site shall be maintained to be free of blight,
15 including but not limited to donation/collection overflow, litter, debris and
16 dumped material.

17 2. The UDB shall be maintained, free of damage, holes,
18 rust, graffiti and be in good working order.

19 3. The UDB shall be serviced per schedule posted on the
20 box. This servicing shall include the removal of donated/collected material
21 and abatement of any blight. Additional pick-ups may be required if
22 overflow or blight conditions are found to exist.

23 4. Hours of servicing UDBs shall be between 7:00 a.m.
24 and 7:00 p.m., Monday through Friday, and between 10:00 a.m. and 6:00
25 p.m. on weekends.

26 5. The UDB operator shall maintain an active email
27 address and a 24-hour telephone service with recording capability for the
28 public to register complaints. This contact information shall be posted on

OFFICE OF THE CITY ATTORNEY
CHARLES PARKER, City Attorney
333 West Ocean Boulevard, 11th Floor
Lana Beach, CA 90802-4664

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the UDB.

F. Violations.

If an UDB is found to be in violation of Chapter 21.51.294, and the operator does not remedy the violation upon notification from the City, the UDB can be deemed a public nuisance per Chapter 21.10.090.

Section 5. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2017, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

**Table 32-1
Uses In All Other Commercial Zoning Districts**

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Unattended Donation Box	A	A	A	A	A	A	A	A	A	Subject to accessory use standards (see Section 21.51.294). Unattended Donation Box shall be permitted in all Planned Development (PD) Districts and Specific Plan (SP) Districts allowing commercial uses, subject to Section 21.51.294.

**Table 34-1
Uses in the
Institutional District**

	Use	District I
1.	Arboretum, botanical gardens or nurseries	Y
2.	Cafeterias and restaurants	A
3.	Caretaker's residence	AP
4.	Carnival, fiesta, or similar exhibition or celebration	T
5.	Cemeteries (Crematorium as accessory)	C
6.	Churches	Y
7.	Colleges, universities and vocational training centers	Y
8.	Commercial uses (as principal use)	N
9.	Construction trailer	T
10.	Convention and exhibition centers	Y
11.	Country clubs (with golf course)	Y
12.	Cultural centers	Y
13.	Daycare/preschool	Y
14.	Fire stations	Y
15.	Government offices	Y
16.	Hall rental	C
17.	Handicapped and senior citizen housing	C
18.	Historical landmarks, memorials and monuments	Y

19.	Hospitals, medical centers, medical office complexes, convalescent hospitals	Y
20.	Interim storage of vehicles and service yard (2 years)	C
21.	Libraries	Y
22.	Manufacturing	N
23.	Marinas	Y
24.	Off-premises signs	N
25.	Outdoor sales events (see Section 21.52.256)	C
26.	Museums	Y
27.	Parking (commercial)	C
28.	Parking (courtesy)	A
29.	Pistol or rifle range	C
30.	Police station	Y
31.	Police training academy	C
32.	Recreational facility	A
33.	Residential - single-family	Y
34.	Residential - multiple-family	N
35.	Sale of alcoholic beverage	C
36.	Schools (public or private, excluding vocational schools)	Y
37.	Schools (vocational)	N

**Table 34-1
Uses in the
Institutional District
(Continued)**

	Use	District I
38.	Social service office of nonprofit organization	Y
39.	Special group residence (communal, board and care, etc.)	C
40.	Stadium	C
41.	Trailer used for office or nightwatchman's quarters	T
42.	Unattended Donation Box	A
43.	Water tanks	Y
44.	Wireless Telecommunications Facilities (see Chapter 21.56)	C

Abbreviations: Y = Permitted.

N = Not permitted

C = Conditional use permit required. Refer to Chapter 21.52.

A = Permitted as an accessory use. Special conditions may apply. Refer to Chapter 21.51.

T = Permitted as a temporary use subject to the requirements of Chapter 21.53 of this Title.

AP = Permitted with an administrative use permit.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO SUBMIT A LOCAL COASTAL PROGRAM AMENDMENT TO AMEND THE CITY'S ZONING REGULATIONS RELATING TO UNATTENDED DONATION BOXES (UDBs) TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION

WHEREAS, on _____, 2018, the City Council of the City of Long Beach amended certain provisions of Title 21 of the Long Beach Municipal Code regarding Unattended Donation Boxes (UDBs); and

WHEREAS, it is the desire of the City Council to submit the above referenced amendments to the Long Beach Municipal Code to the California Coastal Commission for its review and approval as a Local Coastal Plan implementing ordinance amendment; and

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

WHEREAS, the City Council approved the proposed amendments to the Long Beach Municipal Code by adopting amendments to Title 21. The proposed amendments are to be carried out in a manner fully consistent with the Coastal Act and become effective in the Coastal Zone immediately upon Coastal Commission certification; and

WHEREAS, the City Council hereby finds that the proposed amendments are consistent with the City's certified Local Coastal Program and will not adversely affect

OFFICE OF THE CITY ATTORNEY
CHARLES P. ... N, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lana Beach, CA 90802-4664

1 the character, livability or appropriate development in the City of Long Beach and that the
2 amendments are consistent with the goals, objectives and provisions of the General Plan,

3 WHEREAS, the Negative Declaration (ND10-17) was adopted and
4 approved by the City Council of the City of Long Beach on February 13, 2018, which
5 environmental document concluded that the adoption of the subject zoning regulations
6 would not have significant effects on the environment.

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

9 Section 1. The amendments to Title 21 of the Long Beach Municipal
10 Code adopted on _____, 2018, by Ordinance No. ORD-18-_____, a
11 copy of which is attached to and incorporated in this resolution, will be submitted to the
12 California Coastal Commission for its earliest review as to that part of the ordinance that
13 directly affects land use matters in that portion of the California Coastal Zone within the
14 City of Long Beach.

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

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

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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 _____, 2018, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES P. ...IN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

January 4, 2018

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Recommend that the City Council adopt Negative Declaration (ND) 10-17, and approve a Zoning Code Amendment (ZCA17-013) and submittal of a Local Coastal Program Amendment (LCPA17-005) to revise the Long Beach Municipal Code Chapter 21.15 and Sections 21.32, 21.34 and 21.51.294, related to defining and permitting Unattended Donation Boxes (UDBs). (Citywide)

APPLICANT: City of Long Beach
333 West Ocean Boulevard
Long Beach, CA 90802
(Application No. 1708-75)

DISCUSSION

On March 7, 2017, the Long Beach City Council adopted a minute order that initiated a moratorium relating to the establishment, installation, placement, construction, expansion, or issuance of permits for the use of unattended donation/recycling collection boxes or bins in or on any private or public lot in the City. On April 4, 2017, City Council declared an ordinance which established a one year moratorium period pursuant to the provisions of Chapter 21.50 of the Municipal Code, "Interim Prohibition of Uses." The Development Services Department and the Planning Commission were directed to study potential amendments to the Municipal Code relating to non-permanent unattended donation boxes in the City of Long Beach.

Unattended donation boxes (UDBs) are receptacles that typically accept donations of textiles, clothing, shoes, books or other salvageable personal property to be used by the operator for distribution, resale, or recycling. These receptacles are typically brightly colored and stand up to seven feet high. Generally, UDBs are placed outside at grocery stores, gas stations, schools, commercial parking lots, and various other types of businesses. UDB operators include both non-profit organizations that operate locally, as well as non-local organizations that may resell donations for a profit. Currently, UDBs are not specifically addressed in the Long Beach Zoning Code, and are therefore not a permitted use under the City's zoning code structure.

of any existing UDB. A second UDB for the same parcel could be approved if, after 90 days of operation with a daily pick-up schedule, the UDB was experiencing a consistent overflow of donated items. A UDB permit would require both the property owner and bin operator to acknowledge and accept the guidelines for the establishment and operation of a UDB. No permit would be required if the UDB is located within an enclosed building, or if it is accessory to a principal activity on the site that is owned or operated by the collection box operator, such as the administrative office of a non-profit organization. However, the development standards are applicable for any UDB.

Staff recommends the following requirements:

Location

The proper placement of a UDB on a site is a critical aspect of reducing potential negative spillover impacts. UDBs shall maintain the setback of the underlying zone, with at least a minimum setback of 20 feet from the public right-of-way and 5 feet from any property line. In addition, to avoid interference with other requirements or uses on site, a UDB cannot be located within required areas of landscaping, parking spaces, drive aisles, walkways, handicapped accessibility routes, building ingress and egress, easements, trash enclosures, or waste disposal areas. Visibility is a critical component for the safe operation of the UDB, so adequate lighting shall be provided with the use of a dusk to dawn photocell-controlled light source for the collection area, as well as having a clear line of site from a building on site or the public right-of-way.

Receptacle

Containers used for the collection of donations shall be constructed of durable material and be kept in good operating condition to avoid visual blight. For safety and security purposes, a UDB shall have a maximum height of 6 feet with a floor area of 25 square feet with a tamper-resistant locking mechanism for all collection openings to discourage scavenging.

Signage

It is important that a UDB have essential facts posted on the box in a conspicuous location for both informational and emergency purposes. This information shall include contact information for both the operator and property owner, the type of material that may be deposited, and a pick-up schedule. Both nonprofit and for-profit organizations may have a UDB, if applicable a statement shall be included describing the nature of the donation (e.g., charitable cause), and a Federal Tax identification number if the donation is tax deductible. In order to discourage illegal dumping, signage adjacent to the UDB shall state "No material shall be left outside of the UDB."

Maintenance

To encourage minimal environmental impacts, the site shall be maintained to be free of blight. Consistent maintenance of the UDB container shall be required, including adequate pick-up service per the schedule posted on the box with additional pick-ups required if overflow or blight conditions are found to exist. To minimize noise impacts to adjacent properties, hours of servicing UDBs shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 10:00 a.m. and 6:00 p.m. on weekends. The UDB operator shall also be required to maintain an active email address and a 24-hour telephone service with recording capability for the public to register

Exhibit B – Draft Zoning Code Amendment - Unattended Donation Boxes (UDBs)

<p>Code Text</p> <p>Definition 21.15.3155 Unattended Donation Box.</p>	<p>"Unattended Donation Box" means any unstaffed drop-off box, container, receptacle, or similar device that is used for soliciting and collecting donations of clothing or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material (such as beverage containers) governed or regulated by the Zoning Code.</p>																																											
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<p>Table 32-1, Uses In All Other Commercial Zoning Districts</p>	<table border="1"> <thead> <tr> <th></th> <th colspan="3">Neighborhood</th> <th colspan="4">Community</th> <th>Regional</th> <th>Other</th> <th></th> </tr> <tr> <th></th> <th>CNP</th> <th>CNA</th> <th>CNR</th> <th>CCA</th> <th>CCP</th> <th>CCR</th> <th>CCN</th> <th>CHW</th> <th>CS</th> <th></th> </tr> </thead> <tbody> <tr> <td>Unattended Donation Box</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>A</td> <td>Subject to accessory use standards (see Section 21.51.294). Unattended Donation Box shall be permitted in all Planned Development (PD) Districts and Specific Plan (SP) Districts allowing commercial uses, subject to Section 21.51.294.</td> </tr> </tbody> </table>												Neighborhood			Community				Regional	Other			CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS		Unattended Donation Box	A	A	A	A	A	A	A	A	A	Subject to accessory use standards (see Section 21.51.294). Unattended Donation Box shall be permitted in all Planned Development (PD) Districts and Specific Plan (SP) Districts allowing commercial uses, subject to Section 21.51.294.
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<p>Table 34-1, Uses in the Institutional District</p>	<table border="1"> <thead> <tr> <th></th> <th>Use</th> <th></th> </tr> </thead> <tbody> <tr> <td>42.</td> <td>Unattended Donation Box</td> <td></td> </tr> </tbody> </table>										Use		42.	Unattended Donation Box		<table border="1"> <thead> <tr> <th>District I</th> </tr> </thead> <tbody> <tr> <td>A</td> </tr> </tbody> </table>	District I	A																										
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A																																												

Exhibit B – Draft Zoning Code Amendment - Unattended Donation Boxes (UDBs)

	43.	Water tanks	Y
	44.	Wireless Telecommunications Facilities (see <u>Chapter 21.56</u>)	C
21.51.294 Unattended Donation Box (UDB)			
	An Unattended Donation Box (UDB) is permitted as an accessory use to an existing nonresidential activity on the same parcel provided it meets the following standards:		
(A) Permit Required.	<ol style="list-style-type: none"> 1. A UDB permit is required for an unattended donation box (UDB). A permit is not required for UDBs that are enclosed within a principal building or are accessory to a principal activity on a property owned or leased by the box operator. However, all UDBs shall meet all other requirements of Chapter 21.51.294. 2. A second UDB may be allowed if documented evidence is submitted that a second box is required due to the volume of items delivered to the site. A UDB must be operating at a site for at least 90 days in order to establish that a second box is required for overflow items, and after pick-up has been increased to a daily basis. 3. The UDB permit shall require the property owner's approval. 4. The UDB permit applicant shall be the UDB operator and the permit may not be transferred, conveyed or otherwise assigned to another person or entity. 5. The UDB permit applicant shall have an active City Business License. 		
(B) Location.	<ol style="list-style-type: none"> 1. A UDB shall not be located on a vacant lot. 2. No UDB shall be located within 1,000 feet from any other UDB, except secondary boxes permitted for overflow donations on the same parcel. 3. No UDB shall be located within required areas of landscaping, parking spaces, drive aisles, walkways, handicapped accessibility routes, building ingress and egress, easements, trash enclosures, waste disposal areas or the public right-of-way. 4. UDBs shall have a minimum setback of 20 feet from the public right-of-way and 5 feet from any property line, or meet the setback requirements of the underlying zone, whichever is greater. 5. The donation/collection area shall have a clear line of site from the principal building located on the property or the public right-of-way. 6. UDBs shall be located within ten feet of a dusk to dawn photocell-controlled light source of at least one foot candle. If security is determined to be an issue, a greater foot candle may be utilized, provided lights are directed and shielded to prevent light and glare from intruding onto adjacent sites. 		
(C) Standards.	<ol style="list-style-type: none"> 1. UDBs shall be constructed of durable and waterproof materials. 2. UDBs shall be placed on a paved surface. 3. Maximum height is 6 feet. 4. Maximum floor area is 25 square feet (25 x 6 = 150 cubic feet). 5. UDBs shall have a tamper-resistant locking mechanism for all collection openings. 		
(D) Signage.	<ol style="list-style-type: none"> 1. UDBs shall have contact information, including the name, address, email and phone number of both the operator and property owner/owner agent, posted on the box in a conspicuous location. 2. UDBs shall identify the type of material that may be deposited and post a pick-up schedule on the box. 		

Exhibit B – Draft Zoning Code Amendment - Unattended Donation Boxes (UDBs)

	<ol style="list-style-type: none">3. If applicable, the UDB shall identify the charitable cause that will benefit from the donations and the Federal Tax identification number of the nonprofit organization.4. The property containing the UDB shall display a sign not to exceed 10 square feet with text in at least two-inch typeface stating that no material shall be left outside of the UDB. This sign shall be placed in a visually conspicuous location within a radius of 20-feet from the UDB.
(E) Maintenance.	<ol style="list-style-type: none">1. The site shall be maintained to be free of blight, including but not limited to donation/collection overflow, litter, debris and dumped material.2. The UDB shall be maintained, free of damage, holes, rust, graffiti and be in good working order.3. The UDB shall be serviced per schedule posted on the box. This servicing shall include the removal of donated/collected material and abatement of any blight. Additional pick-ups may be required if overflow or blight conditions are found to exist.4. Hours of servicing UDBs shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 10:00 a.m. and 6:00 p.m. on weekends.5. The box operator shall maintain an active email address and a 24-hour telephone service with recording capability for the public to register complaints. This contact information shall be posted on the UDB.
(F) Violations.	<ol style="list-style-type: none">1. If a UDB is found to be in violation of Chapter 21.51.294, and the operator does not remedy the violation upon notification from the City, the UDB can be deemed a public nuisance per Chapter 21.10.090.



City of Long Beach
Unattended Donation Box Ordinance

NEGATIVE DECLARATION

ND 10-17

Prepared by:

City of Long Beach
Department of Development Services
Planning Bureau

Section 21.15.3155 would be added to the Long Beach Zoning Code to read in full below:

21.15.3155 Unattended Donation Box. "Unattended Donation Box" means any unstaffed drop-off box, container, receptacle, or similar device that is used for soliciting and collecting donations of clothing or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material (such as beverage containers) governed or regulated by the Zoning Code.

Zoning Code Table 32-1 would be amended to allow Unattended Donation Boxes as an accessory use in all commercial zoning districts included in Table 32-1. Zoning Code Table 34-1 would be amended to allow Unattended Donation Boxes as an accessory use in the Institutional (I) zoning district.

As part of this project proposal, the City of Long Beach Zoning Code would be amended to provide special development standards for the establishment and operation of Unattended Donation Boxes as an accessory land use to an existing non-residential activity on the same site. These special development standards would be set forth in a new Zoning Code Chapter as follows:

21.51.294 Unattended Donation Box (UDB).

A. Permit Required.

1. A UDB permit is required for an Unattended Donation Box (UDB). A permit is not required for UDBs that are enclosed within a principal building or are accessory to a principal activity on a property owned or leased by the box operator. However, all UDBs shall meet all other requirements of Chapter 21.51.294.
2. A second UDB may be allowed if documented evidence is submitted that a second box is required due to the volume of items delivered to the site. A UDB must be operating at a site for at least 90 days in order to establish that a second box is required for overflow items. The Zoning Administrator shall review the request and based on submitted evidence determine the need of a second box.
3. The UDB permit applicant shall be the UDB operator and the permit may not be transferred, conveyed or otherwise assigned to another person or entity.
4. The UDB permit applicant shall have an active City Business License.

B. Location.

1. No UDB shall be located within 1,000 feet from any other UDB, except secondary boxes permitted for overflow donations on the same site.

2. No UDB shall be located within required areas of landscaping, parking spaces, drive aisles, walkways, handicapped accessibility routes, building ingress and egress, easements, trash enclosures or waste disposal areas.
3. UDBs shall have a minimum setback of 20 feet from the public right-of-way and 5 feet from any property line, or meet the setback requirements of the underlying zone, whichever is greater.
4. The donation/collection area shall have a clear line of site from the principal building located on the property or the public right-of-way.
5. UDBs shall be located within ten feet of a dusk to dawn photocell-controlled light source of at least one foot candle. If security is determined to be an issue, a greater foot candle may be utilized, provided lights are directed and shielded to prevent light and glare from intruding onto adjacent sites.

C. Standards.

1. UDBs shall be constructed of durable and waterproof materials.
2. UDBs shall be placed on a paved surface.
3. Maximum height is 6 feet.
4. Maximum floor area is 25 square feet (25 x 6 = 150 cubic feet).
5. UDBs shall have a tamper-resistant locking mechanism for all collection openings.

D. Signage.

1. UDBs shall have contact information, including the name, address, email and phone number of both the operator and parcel owner/owner agent, posted on the box in a conspicuous location.
2. UDBs shall identify the type of material that may be deposited and post a pick-up schedule on the box.
3. If the UDB is owned by a nonprofit organization, a statement describing the charitable cause that will benefit from the donations and the Federal Tax identification number of the nonprofit organization that owns and operates the UDB is required to be displayed on the box.
4. If the UDB is owned by a for-profit entity, a statement that donations are not tax deductible is required to be displayed on the box.
5. The property containing the UDB shall display a sign not to exceed 10 square feet with text in at least two-inch typeface stating that no material shall be left

outside of the UDB. This sign shall be placed in a visually conspicuous location within a radius of 20-feet from the UDB.

E. Maintenance.

1. The site shall be maintained to be free of blight, including but not limited to donation/collection overflow, litter, debris and dumped material.
2. The UDB shall be maintained, free of damage, holes, rust, graffiti and be in good working order.
3. The UDB shall be serviced on a regular basis. This servicing shall include the removal of donated/collected material and abatement of any blight. Additional pick-ups may be required by the Zoning Administrator if overflow or blight conditions are found to exist.
4. Hours of servicing UDBs shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 10:00 a.m. and 6:00 p.m. on weekends.
5. The box operator shall maintain an active email address and a 24-hour telephone service with recording capability for the public to register complaints. This contact information shall be posted on the UDB.

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 10-17 and approve the Unattended Donation Box Ordinance)

Long Beach City Council (adopt Negative Declaration 10-17 and approve the Unattended Donation Box Ordinance)

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"/> Population and Housing
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards and Hazardous Materials	<input type="checkbox"/> Public Services
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology and Water Quality	<input type="checkbox"/> Recreation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use and Planning	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities and Service Systems
<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Noise	<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.



Craig Chalfant
Senior Planner

11/14/17

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 CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (per Section 15063(c)(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) Supporting information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) 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

a. Would the project 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 proposed Unattended Donation Box Ordinance (UDBO) would not result in significant adverse effects to any scenic vistas or public views of 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 UDBO involves amendments to the City's Zoning Code regarding the establishment and regulation of Unattended Donation Boxes (UDBs) as a permitted accessory land use. Implementation of the proposed UDBO would allow for the orderly operations of UDBs in a manner providing greater public protection from potential adverse effects of such land use operations (i.e., noise, loitering). This proposed project would not result in any negative impacts to the City's visual environment. Therefore, no further analysis of this environmental issue is necessary.

b. Would the project 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 State scenic highways located within the City. No scenic resources, trees or rock outcroppings would be damaged as a result of UDBO implementation. There would therefore be no impact to any natural scenic resource and no further analysis is required.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

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

Please see Sections I.a. and b. above for discussion.

d. Would the project 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

All future UDB land use operations would be required to comply with all applicable regulations, including Long Beach Municipal Code Chapter 9.37 (Long Beach Nuisance Code). Since UDBO implementation would not directly or indirectly create any adverse light or glare impacts, no further analysis is required.

II. AGRICULTURE 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. Would the project:

a. Would the project 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 non-agricultural use?

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

b. Would the project 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. Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

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

For Sections II. a., b. and c. - There are no agricultural zones within the City of Long Beach, which is a fully urbanized community that has been built upon for over half a century. The UDBO would have no effect upon agricultural resources within the City of Long Beach or any other neighboring city or 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.

a. Would the project conflict with or obstruct implementation of the applicable Air Quality Attainment 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, 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. Since the UDBO does not propose any specific developments or growth inducing projects that would conflict with the SCAG growth forecasts, it would be consistent with the AQMP and therefore no further analysis is required.

b. Would the project violate any air quality standard or contribute to an existing or projected air quality violation?

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

UDBO implementation would not significantly lower air quality standards or contribute to an air quality violation. Therefore, the UDBO impact on air quality would be less than significant and no further environmental analysis is required.

c. Would the project 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

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

Please see Sections III.a. and b. above for discussion.

d. Would the project 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. Establishment and operation of UDBs, subject to the accessory use standards set forth in Zoning Code Section 21.51.294, would not have any significant adverse effects on sensitive receptors. Please see Sections III.a. and b. above for further discussion.

e. Would the project create objectionable odors 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 UDBO would not allow or involve land uses that could directly or indirectly result in any significant adverse odors or intensification of odors beyond those typically associated with construction activities. No further environmental analysis is necessary.

IV. BIOLOGICAL RESOURCES

a. Would the project 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 UDBO would not promote activities that would remove or impact any existing or planned wildlife habitats. No further environmental analysis is required.

b. Would the project 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

Land uses subject to this proposed 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. Would the project 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 UDBO implementation 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. Would the project 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

Future UDBO 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. Would the project 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

UDBO 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. Would the project 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 UDBO 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

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in 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 (with the exception of areas such as protected park lands) have been previously disturbed and/or developed. The UDBO would not promote, encourage or enable projects or activities that could remove, degrade or in any way adversely impact local historic resources. No further environmental analysis is required.

b. Would the project 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 UDBO would allow UDBs as an accessory land use and set forth standards for the establishment and operation of UDBs as an accessory land use. UDBO implementation would not result in any specific construction activities involving extensive excavation, and therefore would not be anticipated to affect or destroy

any archaeological resources due its geographic location. Please see Section V.a. above for further discussion.

c. Would the project 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 UDBO does not propose any projects that would be anticipated to result in extensive excavation that could adversely impact any paleontological resources or geologic features. Please see Sections V.a. and b. above for further discussion.

d. Would the project 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 UDBO does not propose any projects 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 c. above for further discussion.

VI. GEOLOGY AND SOILS

a. Would the project expose people or structures to potential substantial 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

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 Code requirements 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 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. However, numerous variables determine the level of damage to a specific location. Given these variables, it is not possible to determine the level of damage that may occur on the site during a seismic event. All land uses must conform to all applicable State and local building codes relative to seismic safety. Please see Section VI.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 located 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. Please see Section VI.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. Therefore, no impact would be expected and no further environmental analysis is required. Please see Section VI.a.i. above for further discussion.

b. Would the project 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

All UDBs would be required to adhere to all applicable construction standards. No further environmental analysis is necessary.

c. Would the project 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 VI.b. above for discussion. All UDBs would be constructed in compliance with all applicable Building Code requirements.

d. Would the project be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?

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

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

e. Would the project 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.

VII. GREENHOUSE GAS EMISSIONS

a. Would the project 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 UDBO would not result in direct or indirect GHG impacts, but rather would establish special development standards and processing requirements for UDBs. No further environmental analysis is needed.

b. Would the project 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 VII.a. above for discussion. The proposed project would not permit any land use operations that would conflict with any plans, policies or regulations related to the reduction of greenhouse gas emissions. No further environmental analysis is needed.

VIII. HAZARDS AND HAZARDOUS MATERIALS

a. **Would the project 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 UDB land use which would be subject to the provisions of this proposed project would not be anticipated to involve any substantial transport, use or disposal of any hazardous materials. In addition, any future handling and disposal of hazardous or potentially hazardous materials would be in full compliance 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. **Would the project 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 VIII.a. above for discussion.

c. **Would the project 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 VIII.a. above for discussion.

d. **Would the project 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. All future UDBs that would be regulated by the provisions of this proposed project would be subject to separate CEQA review that would include analysis of information from the Cortese List. Please see Section VIII.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 UDBO would not alter air traffic patterns or encourage future projects that could conflict with established Federal Aviation Administration (FAA) flight protection zones. All future development in the vicinity of the Long Beach Airport would be in compliance with all applicable local and FAA requirements. Please see Section VIII.a. above for further discussion.

f. For a project within the vicinity of a private airstrip, 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

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

g. Would the project 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 UDBO 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.

h. Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?

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

The City is a highly urbanized community and 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 wild land fires. No further environmental analysis is required.

IX. HYDROLOGY AND WATER QUALITY

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. Would the project violate any water quality standards or waste discharge requirements?

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

The UDBO would be consistent with all Chapters of the General Plan, including the Conservation Element. UDBO implementation would be required to be in full compliance with any and all applicable federal, State and local water quality standards and regulations. No further environmental analysis is required.

b. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would

be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

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

Please see Section IX.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. **Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

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

The proposed UDBO does not encourage or enable any alterations to existing drainage patterns or to the course of streams or rivers. Please see Section IX.a. above for further discussion.

d. **Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or 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 IX.a. and c. above for discussion.

e. **Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?**

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

Please see Sections IX.a. and c. above for discussion. UDBs would not generate significant storm water runoff and would not adversely affect provisions for retention and infiltration of stormwater consistent with the City's Low Impact Development (LID) policies.

f. Would the project otherwise degrade water quality?

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

Please see Sections IX.a. and c. above for discussion. All future land uses subject to the UDBO provisions would be subject to all applicable water quality standards, regulations and best management practices.

g. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

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

According to the Federal Emergency Management Agency (FEMA), most of Long Beach is located in Zone X, which is outside of the 100 year flood hazard area. The proposed project applies to an accessory land use only and would not directly or indirectly result in placing any residential land uses in flood hazard areas.

h. Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

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

Please see Section IX.g. above for discussion.

i. Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

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

Please see Section IX.g. above for discussion. The City of Long Beach is not located in the proximity of a levee or dam.

j. Would the project result in inundation by seiche, tsunami or mudflow?

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

According to Plate 11 of the Seismic Safety Element, the majority of Long Beach is not within a zone influenced by the inundation of seiche, tsunami, or mudflow. Potential tsunami hazards would be limited to properties and public improvements near the coastline. The proposed project would not result in any increased risk of inundation to any properties. Please see Section IX.g. for further discussion.

X. LAND USE AND PLANNING

a. Would the project physically divide an established community?

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

The UDBO establishes processing procedures and special development standards for UDBs. These proposed regulations would not directly or indirectly divide any established community, but rather would provide controls on UDBs operations that would protect the surrounding community from potential adverse effects (i.e., noise, loitering). No further environmental analysis is required.

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) 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 X.a. above for discussion. The UDBO would not conflict the City's General Plan, the 2010 Strategic Plan, or any other applicable land use plans and policies. Impacts to existing local regulations would therefore be less than significant.

c. Would the project conflict with any applicable habitat conservation plan or natural communities conservation plan?

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

See Sections X.a. and b. above for discussion. The City is a highly urbanized environment characterized by in-fill development projects that recycle previously developed properties. No habitat conservation plan or natural communities conservation plan would be impacted by project implementation.

XI. MINERAL RESOURCES

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. Would the project 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 UDBO 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 implementation. No further discussion is required.

b. Would the project 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 XI.a. above for discussion.

XII. NOISE

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. **Would the project result in exposure of persons to or generation of noise levels 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

All construction activities and land use operations in Long Beach must be performed in compliance with the City's Noise Ordinance (Long Beach Municipal Code Section 8.80). UDBO implementation would not alter the Noise Ordinance provisions or exempt any future land uses or improvement projects 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. **Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?**

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

See Section XII.a. above for discussion. All future UDBO implementation would occur in compliance with local noise and vibration controls.

- c. **Would the project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

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

See Section XII.a. above for discussion.

d. Would the project create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

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

See Sections XII.a. and c. above for 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 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 in the vicinity of the Long Beach Airport would be in compliance with all applicable local and FAA requirements. The UDBO 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.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area excessive noise levels?

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

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

XIII. POPULATION AND HOUSING

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. Would the project induce substantial population growth in an area, either directly or indirectly?

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

The UDBO only sets forth processing procedures and special development standards for UDBs. It is not intended to directly or indirectly induce population growth. No further environmental analysis is required.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

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

The UDBO does not set forth or encourage any policies, projects or implementation measures that would directly or indirectly displace existing residential units in the City. No further environmental analysis is required.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

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

Please see Section XIII.b. above for discussion. The UDBO does not set forth or encourage any policies, projects or implementation measures that would directly or indirectly displace people residing in the City.

XIV. PUBLIC SERVICES

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.

Would the proposed project 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 UDBO only sets forth processing procedures and special development standards for UDBs. It is not intended to directly or indirectly induce population growth that could result in increased demand for fire protection services or fire protection facilities. 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 XIV.a. above, the UDBO would not significantly increase demands for police protection service, nor require provision of new police facilities.

c. Schools?

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

Similar to Section XIV.a. above, the UDBO would not result in an increased demand for public school services or facilities.

d. Parks?

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

Similar to Section XIV.a. above, the UDBO would not generate any additional demand for provision of park services or facilities by the City.

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.

XV. 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 UDBO only sets forth processing procedures and special development standards for UDBs. It is not intended to directly or indirectly induce population growth that could result in increased demand for recreational facilities. 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 XV.a. above. No further environmental analysis is required.

XVI. TRANSPORTATION/TRAFFIC

- a. **Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?**

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

The UDBO only sets forth processing procedures and special development standards for UDBs. It is not intended to directly or indirectly induce population or employment growth that could result in increased number of vehicle trips, volume to capacity ratios, or traffic congestion. No further environmental analysis is required.

- b. **Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?**

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

Please see Section XVI.a. for discussion. Since the UDBO would not encourage or plan for significant traffic growth, there would be no significant impacts on levels of service.

- c. **Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

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

The UDBO regulatory and procedural requirements for permitted by-right land uses would have no impact on air traffic patterns. No further environmental analysis is required.

d. Would the project substantially increase hazards to a 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 UDBO would not create or encourage any hazardous transportation related design features or incompatible uses. No further environmental analysis is required.

e. Would the project result in inadequate emergency access?

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

The UDBO would not propose or encourage any specific land uses or development projects or transportation network modifications that would have the potential to result in deficient or inadequate emergency access routes. No further environmental analysis is required.

f. Would the project conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

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

The UDBO would not propose or encourage any specific land uses or development projects or transportation network modifications that would conflict with adopted policies supporting alternative transportation. No further environmental analysis is required.

XVI. TRIBAL CULTURAL RESOURCES

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:

- a. 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)?

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

Please see Section V. above. UDBO 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. No further environmental analysis is required.

- b. 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

See Section XVI.a. above. No further environmental analysis is required.

XVIII. UTILITIES AND SERVICE SYSTEMS

- a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

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

- b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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

c. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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

d. Would the project have sufficient water supplies available to serve the project from existing entitlement and resources, or are new or expanded entitlement needed?

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

e. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

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

f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

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

g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

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

For Sections XVIII.a. through g., the UDBO requirements would not be 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. No further environmental analysis is necessary.

XVIII. 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 UDBO would have no significant adverse impacts on biological or cultural resources. The proposed 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 UDBO requirements 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 land use requirements of this proposed project would not directly or indirectly cause any substantial adverse effects on human beings. For this reason, the City has concluded that the proposed UDBO can be implemented without causing significant adverse environmental effects and determined that the Negative Declaration is the appropriate type of CEQA documentation.