



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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November 10, 2011

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

1. Adopt a Resolution with Findings of Fact, a Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program certifying a Final Program Environmental Impact Report;
2. Recommend that the City Council approve a General Plan Amendment to designate all property within the Downtown Plan project area to Land Use Designation (LUD) #7, Mixed Uses; and;
3. Recommend that the City Council adopt the Downtown Plan as presented. (Districts 1, 2, and 6)

APPLICANT: City of Long Beach
c/o Amy J. Bodek, Director of Development Services
333 W. Ocean Blvd, 4th Floor
Long Beach, CA 90802
(Downtown Plan)

DISCUSSION

Downtown has long been the center for civic, commercial, cultural, and entertainment activity in Long Beach, and the City has adopted and implemented several plans over the years to further Downtown's position in this respect. Most recently, the Downtown Planned Development (PD-30) was adopted in 2000, and provided a regulatory framework for continued development of Downtown. The development boom in the early to mid 2000's resulted in several projects that, although consistent with the overall vision for Downtown, were in conflict with the specific development standards. As a result, several amendments to PD-30 were approved to make way for the various projects. Although facilitating these projects was important to the continued development of Downtown, the ad hoc nature of the amendments resulted in a lack of a cohesive approach on the part of the City, as well as uncertainty on the part of the development and business communities with respect to the timeline and overall certainty in the City processes. Recognizing the need for a cohesive vision for future development, as well as the need to create a fair, clear and predictable process, the City began the process of updating the plan for Downtown.

To assist in facilitating a cohesive vision that represented the needs and desires of the community, the two Downtown City Councilmembers formed the Downtown Visioning Committee (Committee) consisting of various Downtown stakeholders. The Committee was tasked with creating a comprehensive set of principles to guide the future development of the Downtown area. After a one year process that included extensive community outreach, the Committee completed the "Vision Statement for Downtown", which was subsequently presented to the City Council on May 20, 2008, (Exhibit A – Downtown Vision Statement). After reviewing the Vision Statement, the City Council directed staff to prepare a new plan for Downtown. Largely based on the visioning effort and the formal direction of the City Council, the Downtown Plan (Plan) was developed as a document that provides the regulations, guidelines, and incentives necessary to realize the outcomes set forth in the Vision Statement. Development of the Plan also included the formation of a steering committee made up of Downtown residents and stakeholders.

The Downtown Plan

Based on the extensive public outreach throughout the development of the Plan and with the input of the steering committee and subsequent public outreach, the core issues addressed in the Downtown Plan (Exhibit B) include providing clear direction for future development projects, raising the standard for architectural design, encouraging adaptive reuse of existing historic buildings, and providing greater use flexibility for land uses that contribute to the vibrant urban environment. It is important to note that the Plan does not mandate where and when any particular type of development will occur, and does not attempt to influence economic or market forces. It neither discourages nor advocates for market rate or affordable housing, but establishes clear and concise development standards for all types of development. The Plan represents a comprehensive update to the existing Downtown Planned Development (PD-30), and includes several changes as outlined in the following section.

Comparison to the Downtown Planned Development (PD-30) Ordinance

Relative to the existing PD-30, the Downtown Plan represents a more comprehensive approach to land use policies for the downtown. While both documents include traditional standards such as allowable land use, building setbacks, and height limits, the Downtown Plan simplifies the regulations and includes incentives for desirable types of projects including adaptive reuse and sustainable building practices. The key enhancements of the Downtown Plan include:

- Expansion of the Downtown Plan area from 467 acres to 725 acres.
- A comprehensive set of design standards for new development that provide criteria for various building types.
- A simplified land use table that combines the existing subareas into one district.
- Modified height limits that focus development intensity in the core areas of Downtown while limiting the intensity of development in and around existing residential neighborhoods.

CHAIR AND PLANNING COMMISSIONERS

Downtown Plan

November 10, 2011

Page 3 of 6

- Parking, open space, and building setback requirements that are more reflective of a thriving Downtown environment.
- Adaptive reuse standards and incentives and a list of historically significant properties eligible to use the incentives.
- New guidelines and standards for the streetscape and public realm.

Staff believes that the Plan is reflective of the vision set forth by the original Visioning Committee, the subsequent steering committee and the majority of Downtown stakeholders. Staff further believes the Downtown Plan will facilitate the type and quality of development in Downtown that was envisioned by the City Council when they accepted the Downtown Visioning effort, and by the public at large.

Public Process

Presentation of the Downtown Plan for the Planning Commission's consideration is the culmination of four years of community meetings, staff and consultant efforts and input from the Planning Commission and City Council. The Plan as presented represents an attempt to balance the needs of various Downtown stakeholders with the social and economic health of the entire City. Without a thriving, vibrant Downtown that is attractive to new investments, a major economic engine for the entire City will stagnate. The adoption of a set of clear, concise and modern development standards, coupled with the vision to integrate various land uses in a cohesive manner, is necessary to ensure future investment in the Downtown, and subsequently, the City. The Plan as presented represents a consolidation of all of these efforts.

As discussed previously, a visioning process led to the decision by the City Council to direct staff to prepare the Plan, and a steering committee was formed to assist staff in ensuring that the Plan was reflective of the desires of key Downtown stakeholders. The steering committee met regularly, and staff and committee members hosted or attended several community meetings to gather public input throughout 2008 and 2009 (Exhibit C - List of Community meetings). Key milestones in the public review of the Plan include:

- July 16, 2009—Planning Commission Study Session on the draft Downtown Plan.
- July 22, 2009—Community meeting and EIR scoping meeting on the draft Downtown Plan.
- November 9, 2010—City Council presentation on the draft Plan. The Council directed staff to circulate the Program EIR for 115 days.
- December 2010—Draft Program EIR released for public circulation.
- March 17, 2011—Planning Commission Study Session on Downtown Plan and Program EIR.
- April 4, 2011—Program EIR comment period ends.

In addition to these milestones, staff has received extensive public comment on the Plan through a dedicated web site, and has incorporated these comments into the Plan (Exhibit D – Comment Matrix).

ENVIRONMENTAL REVIEW

From the time that the Vision Statement was being prepared in 2007, it was envisioned that a Program EIR would be prepared for the Downtown Plan under the California Environmental Quality Act (CEQA). The PEIR (Exhibit E) provides the necessary environmental clearance for the adoption of the Plan, and also provides a document from which environmental review of subsequent development projects within the Downtown Plan area can be based.

The concept of tiering subsequent environmental review for future projects is to provide an overarching environmental analysis for the majority of environmental issues that are expected to result from the Plan's implementation. Since implementation of the Downtown Plan will come in the form of future development projects, the PEIR provides analysis for what impacts and mitigation measures should be incorporated into these development projects. As stated earlier, the Downtown Plan does not mandate that development actually occur anywhere in the Downtown. It can, however, attempt to predict the maximum threshold of environmental impacts that could conceivably occur should development patterns be maximized to the fullest extent over the next 20 or more years. As such, the Program EIR attempts to disclose all the potential impacts based on full build out of the Plan, and further attempts to identify cumulative impacts in a much more comprehensive manner.

Assuming that the Downtown Plan and the Program EIR are adopted, future development projects would be required to undergo an Initial Study to determine if there are any new or outstanding environmental issues that were not forecasted by the Program EIR. If so, subsequent analysis of those outstanding issues will be conducted and additional mitigation measures, if necessary, will be required. In this way, tiering focuses the environmental review process on key issues for each subsequent development project. As stated above, the Program EIR provides upfront disclosure of the impacts of the Plan more comprehensively.

The Program EIR determined that all project impacts can be mitigated to a level below significance with the exception of the following:

- Aesthetics
- Air Quality
- Cultural Resources
- Greenhouse Gas Emissions
- Population and Housing
- Public Services
- Transportation and Traffic

The Final Program EIR contains written responses to all comments received on the Draft Program EIR, with addenda and errata providing updated information. The Draft Program EIR, along with the comments, responses and additional information comprise the Final Program EIR. A Resolution certifying the Program EIR and adopting the Findings of Fact, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program is attached (Exhibit F).

The Statement of Overriding Considerations (SOC) is required due to the unavoidable adverse significant impacts identified in the Final Program EIR that are considered significant and unavoidable. Whenever a project would result in unavoidable significant impacts, the lead agency must state in writing the specific reasons to support its action. If the economic, legal, social, technological or other benefits of a project outweigh the unavoidable adverse environmental impacts, the adverse effects may be considered to be acceptable.

The specific project benefits are listed in the Findings of Fact and Statement of Overriding Considerations, and include furthering City goals for provision of multi-family housing, revitalization of underutilized sites within the Downtown with a mixed-use development subject to higher design and material standards, enhanced pedestrian, bicycle and mass transit access, enhanced job and home ownership opportunities, efficient use of land and energy conservation, and enhanced economic vitality of the greater Downtown area.

PUBLIC HEARING NOTICE

Public hearing notice was presented as an advertisement in the Long Beach Press-Telegram on October 27, 2011, as required by the Long Beach Municipal Code. Notices were provided to all persons and entities that submitted written comments on the Draft PEIR during the extended 115-day public comment period as required by CEQA.

STAFF RECOMMENDATIONS

Staff recommends the Planning Commission take the following actions:

1. Adopt a Resolution with Findings of Fact, a Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program certifying a Final Program Environmental Impact Report;
2. Recommend that the City Council approve a General Plan Amendment to designate all property within the Downtown Plan project area to Land Use Designation (LUD) #7, Mixed Uses; and;
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CHAIR AND PLANNING COMMISSIONERS

Downtown Plan

November 10, 2011

Page 6 of 6

Respectfully submitted,



DEREK BURNHAM
PLANNING ADMINISTRATOR



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

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Attachments:

- Exhibit A – Downtown Vision Statement
- Exhibit B – Downtown Plan
- Exhibit C – List of Community Meetings
- Exhibit D – Comment Matrix
- Exhibit E – Environmental Impact Report (EIR 04-08, SCH#2009071006)
- Exhibit F – Resolution and Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program