

SOUTHEAST AREA SPECIFIC PLAN POLICIES

6700 East Pacific Coast Highway
App. No. 2008-36 (SPR 23-093 and LDGP22-051)
April 20, 2023

This table includes only those policies contained in the Southeast Area Specific Plan Document that are applicable to the proposed project at 6700 East Pacific Coast Highway. Several technical studies were completed for the project, including Biological, Geo Technical, Hydrology/LID, Sea Level Rise, Sewer Capacity, Soils, and Vehicle Miles Traveled.

Policy	Applicable to proposed project?	Timing for compliance
<u>Natural Resources Policies 5.1 through 5.17, 5.20, 5.27</u> The project is not within an environmentally sensitive habitat area (ESHA), within the CHWR land use designation, or within a wetlands area. The Site is currently developed with an office building with parking tucked under the building as well as at grade surface parking.		
POLICY 5.18: Standards Applicable to All Areas Adjacent to Jurisdictional Waters, ESHA, and Wetlands Development projects within 100 feet of Coastal Act wetlands or environmentally sensitive habitat (ESHA), and all land within the Coastal Habitat, Wetlands, and Recreation land use shall comply with the following: <ul style="list-style-type: none"> • Prior to approval of a trails/access plan within or adjacent to wetlands or ESHA, the location, design, and text for urban-open space interface signage shall be developed. The signage shall be located at all pedestrian access points. The signage shall educate users on the responsibilities associated with the open space interface and shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of human and domestic pets on native communities and their inhabitants. • Prior to approval of any development adjacent to the 	Yes – included as a condition of approval, the project Applicant shall be responsible for providing signage at the bicycle and pedestrian access points to the San Gabriel River Path. A photometric plan has been submitted and does not show nighttime lighting to be greater than 0.10 footcandles at the edge of the San Gabriel River. The plan shall be updated should footcandles, change, however shall not go below 0.10 footcandles at the edge of the San Gabriel River. Included as a condition of approval. Applicant shall work with applicable City Departments to prepare an urban open space brochure.	Compliance shall be had prior to issuance of a Certificate of Occupancy and on-going operational requirement.

Policy	Applicable to proposed project?	Timing for compliance
<p>Coastal Habitat, Wetlands, and Recreation land use, the project applicant shall submit a photometric plan demonstrating that the project will be designed and shielded so that the nighttime lighting shall be no greater than 0.10 footcandles at the edge of the habitat. This limits spill light (light trespass) to levels that do not greatly exceed the intensity of moonlight (approximately 0.1foot-candles).</p> <ul style="list-style-type: none"> • Prior to the issuance of building permits, the project applicant and/or subsequent builder shall prepare an urban-open space interface brochure to be approved by the Long Beach Development Services Department to educate residents on the responsibilities associated with living near sensitive biological habitat. The brochure shall address relevant issues, including noise, dark skies, nesting birds, bird-safe buildings, and the role of natural predators in the wildlands and how to minimize impacts of human and domestic pets on native communities and their inhabitants. The approved brochure, along with attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for future developments. 		
<p>POLICY 5.19: Wetland Conservation and Monitoring Fund. The City shall establish a Wetland Conservation and Monitoring Fund and establish fees pursuant to a Property Analysis Record (PAR). Each development or redevelopment shall</p>	<p>Yes – condition of approval has been included that the fee shall be paid.</p>	<p>Fees shall be paid prior to issuance of a certificate of occupancy.</p>

Policy	Applicable to proposed project?	Timing for compliance
<p>contribute its fair share based on the size of the development to this fund, which will be created to provide restoration and long-term management to the publicly owned wetlands within the SEASP Plan area. Fees shall be assessed on the project through conditions of approval of the Coastal Development Permit. When an agency or non-profit corporation accepts permanent management responsibilities of the wetlands, the Fund may be transferred to that agency or corporation.</p>		
<p>POLICY 5.21: Development shall include specific measures to help reduce potential pollutants and water quality impairment, including controlling the disposal of chemicals and hazardous materials, controlling the use of pesticides and herbicides, maintaining existing storm water capture programs, applying low impact development designs and requiring on-site retention and/or reuse of runoff.</p>	<p>Yes – A condition of approval is included that the project comply with the National Pollution Discharge Elimination System (NPDES) requirements</p>	<p>Construction and on-going operational requirement.</p>
<p>POLICY 5.22: Development shall analyze sea level rise and groundwater rise over the expected life of the development in considering increased potential for mobilization of surface and subsurface pollutants.</p>	<p>Yes -- A sea level rise report was completed. Although not required, the Applicant is encouraged to include adaptive capacity in development with measures such as waterproofing, flood shields, water tight doors, moveable flood walls, partitions, and other flood proofing techniques.</p>	<p>Completed.</p>
<p>POLICY 5.23: The City will utilize ecologically responsible pest control methods and integrated pest management to the extent feasible on public property and encourage this practice on private property.</p>	<p>Yes -- This policy applies to City property, however for private development a condition of approval has been added that the ecologically responsible pest control methods shall be utilized to the greatest extent feasible.</p>	<p>Construction and on-going operational.</p>
<p>POLICY 5.24: Drainage plans and erosion, sediment and pollution control measures shall be required as conditions of approval of every application for new</p>	<p>A condition of approval has been added that requires the project, since greater than 1 acre in size, demonstrate</p>	<p>Construction and on-going operations.</p>

Policy	Applicable to proposed project?	Timing for compliance
development that has the potential to impair water quality.	coverage under the State Construction General NPDES Permit.	
POLICY 5.25: Development that has the potential for water quality impairment shall, at a minimum, be designed to meet National Pollutant Discharge Elimination System stormwater runoff requirements.	Yes – A condition of approval has been added that requires the Applicant demonstrate coverage under the State Construction General NPDES permit for projects greater than one-acre.	Building Plan Check, construction and on-going operations.
POLICY 5.26: Construction phase storm water pollutant controls shall be required for development that has the potential for water quality impairment, including erosion controls, sediment traps and filtering of off-site storm water flows.	Yes – A condition of approval has been added that requires the Applicant demonstrate coverage under the State Construction General NPDES permit for projects greater than one-acre. Building inspectors shall require that during the construction phase controls per the approved plans are implemented.	Building Plan Check and throughout construction
POLICY 5.28: The City shall ensure that development in the coastal zone adequately protects marine resources, including avian species, and may adopt policies for tree trimming and removal in the coastal zone that adequately protect such species and any environmentally sensitive habitat areas.	Yes -- A condition of approval is included that all tree removal and modifications shall be completed in conformance with SEASP Policy 5.31.	On-going operations.
POLICY 5.29: The trimming and/or removal of any trees that have been used for breeding, roosting, and nesting within the past five (5) years, as determined by a qualified biologist or ornithologist shall be undertaken in compliance with all applicable codes and regulations of the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service and the U.S. Migratory Bird Treaty Act, and shall be conducted under the parameters of a Tree Maintenance Program which shall be prepared and included as part of the LCP's Implementation Plan.	Yes -- The project developer is required to comply with the Biology Mitigation Measures (BIO) as adopted as part of the Program Environmental Impact Report.	Construction and on-going operations.

Policy	Applicable to proposed project?	Timing for compliance
<p>POLICY 5.30: If an active nest of any species listed pursuant to the federal or California Endangered Species Act, California bird species of special concern, or a wading bird (herons or egrets) as well as owls or raptors is found, construction activities shall avoid breeding/nesting season (January through September). If construction is determined to be necessary during the breeding/nesting season, construction activities within 300 feet (500 feet from any owl or raptor nests) shall not exceed noise levels of 65 dB peak until the nest(s) is naturally vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. The 65 dB peak noise levels may only be increased if a noise study demonstrates the ambient noise level is above 65 dB at the subject site and shall not be allowed to exceed the ambient level. When construction is determined to be necessary during the breeding/nesting season, breeding/nesting bird surveys shall be conducted by a qualified biologist at least 30 days prior to commencement of construction with a follow-up survey conducted 3 days prior to commencement of construction on sites where there is probable cause to believe that nesting birds may exist.</p>	<p>Yes – The Applicant is required to implement those mitigation measures delineated in the Mitigation Monitoring Program relating to birds and other biological species. See the Biology mitigation measures BIO-1 through BIO-8.</p>	<p>Construction and on-going operations.</p>
<p>POLICY 5.31: The following Tree Trimming and Removal policy applies within the SEASP coastal zone with respect to trees that provide breeding, roosting, and nesting habitat for the birds listed in Policy 5.29. The City may prepare Tree Maintenance Program for the trimming and/or removal of trees consistent with Nesting and Foraging Habitat provisions of the LCP.</p> <p>A. Tree trimming, or tree removal shall be conducted outside of the bird breeding, roosting, and nesting season (January through</p>	<p>Yes -- All tree removal, tree trimming, and modifications shall be completed in conformance with applicable SEASP Policies and in compliance with the Mitigation Measures adopted as part of the program EIR for the Southeast Area Specific Plan.</p>	<p>On-going operations.</p>

Policy	Applicable to proposed project?	Timing for compliance
<p>September), unless a qualified arborist determines that a tree or branch is dead, diseased, dying or injured and said tree or branch is in imminent danger of collapse or breaking away causing a danger to human health and safety. The City shall be proactive in identifying and addressing diseased, dying or injured trees on public property as soon as possible in order to avoid habitat disturbances during the nesting season. The City shall encourage private property landowners to be proactive in identifying and addressing diseased, dying or injured trees on private property and when new development is under review for a CDP.</p> <p>B. During the non-breeding and non-nesting season (October through December), the following procedures shall apply:</p> <ol style="list-style-type: none"> 1. Annually, prior to tree trimming or removal, a qualified biologist or ornithologist shall survey the trees to be trimmed or removed to detect breeding, roosting, or nesting activity and submit a survey report to the City of Long Beach Department of Parks, Recreation and Marine, a representative of the Audubon Society, and the Executive Director of the Coastal Commission. The survey report shall include identification of all trees with breeding, roosting, or nesting activity. The Department of Parks, 		

Policy	Applicable to proposed project?	Timing for compliance
<p>Recreation and Marine shall maintain a database of survey reports that includes a record of breeding, roosting, and nesting trees that is available as public information and to be used for future tree trimming and removal decisions.</p> <p>2. Any trimming of trees with a history of breeding, roosting, or nesting activity within the past five (5) years shall be supervised by a qualified biologist or ornithologist and a qualified arborist to ensure that adequate breeding, roosting, and nesting support and foliage coverage is maintained in the tree, to the maximum extent feasible, in order to preserve the breeding, roosting, and nesting habitat. Trimming of any such trees shall occur in a way to preserve the breeding, roosting, and nesting activity, unless the Department of Parks, Recreation and Marine, in consultation with a qualified arborist, determines that such trimming is necessary to protect the health and safety of the public. The amount of trimming at any one time shall be limited to preserve the suitability of the tree for breeding, roosting, or nesting habitat.</p> <p>3. Trimming may not proceed if a nest is found and</p>		

Policy	Applicable to proposed project?	Timing for compliance
<p>evidence of courtship or nesting behavior is observed at the site. In the event that any birds continue to occupy trees during the non-nesting season, trimming shall not take place until a qualified biologist or ornithologist has assessed the site, determined that courtship behavior has ceased, and given approval to proceed within 300 feet of any occupied tree.</p> <p>C. If a health and safety danger is determined to exist, during breeding, roosting, and nesting season (January through September), the following procedures shall apply:</p> <ol style="list-style-type: none"> 1. A qualified biologist or ornithologist shall conduct surveys and submit a report at least one week prior to the trimming or removal of a tree (only if it is posing a health or safety danger) to detect any breeding, roosting, or nesting behavior in or within 300 feet (500 feet of owls and raptors) of the work area. A tree trimming and/or removal plan shall be prepared by an arborist in consultation with the qualified biologist or ornithologist and a representative of the Audubon Society. The survey report and tree trimming and/ or removal plan shall be submitted for 		

Policy	Applicable to proposed project?	Timing for compliance
<p>the review and approval of the Executive Director of the Coastal Commission, the Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and the Director of the Parks, Recreation and Marine. The Department of Parks, Recreation and Marine shall maintain the plans on file as public information and to be used for future tree trimming and removal decisions. The plan shall incorporate the following:</p> <ul style="list-style-type: none"> a. A description of how work will occur. b. Work must be performed using nonmechanized hand tools to the maximum extent feasible. c. Limits of tree trimming and/or removal shall be established in the field with flagging and stakes or construction fencing. d. Steps shall be taken to ensure that tree trimming will be the minimum necessary to address the health and safety danger while avoiding or minimizing impacts to breeding and 		

Policy	Applicable to proposed project?	Timing for compliance
<p style="text-align: center;">nesting birds and their habitat.</p> <p>2. Prior to commencement of tree trimming and/or removal the City of Long Beach Department of Parks, Recreation and Marine shall notify in writing the Executive Director of the Coastal Commission, the Department of Fish and Game, and the U.S. Fish and Wildlife Service of the intent to commence tree trimming or removal.</p> <p>D. Make every effort to preserve mature trees before considering tree removal. Preferred approaches, where possible, include modifying street improvements to preserve trees or using best horticultural practices such as watering and fertilizing, pest control, pruning, staking and guying. The removal of any tree that qualifies as ESHA or provides important habitat for species that exist in or play a key role in the marine ecosystem shall require mitigation at least a 2:1 ratio. If the tree to be removed is non-native, replacement trees shall consist of native or non-invasive tree species. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree location, tree type, tree size (no less than 36-inch box size), planting specifications, and a five-year monitoring program with specific performance standards.</p>		

Policy	Applicable to proposed project?	Timing for compliance
<p>POLICY 5.32: In addition to the standards above, new development located on properties that contain or are located within 100 feet of wetlands, ESHA, or sensitive coastal habitat areas (including open water), as defined in this chapter, shall also comply with the following:</p> <p>A. Lighting shall be designed to achieve the minimum degree of illumination necessary for public safety, minimize light trespass into adjacent non-target areas, and limit the illumination of open space and sensitive coastal habitat areas to the maximum extent feasible. Lighting shall be downward directed, shielded, energy efficient, dark sky-compatible, and shall incorporate state-of-the-art improvements in lighting technology when replaced thereafter. Replacement bulbs or fixtures shall be upgraded to incorporate best available technology over the life of the installation. Programmable timing devices shall be utilized to turn off unnecessary lights where feasible. Illuminated signs shall not be allowed.</p> <p>B. Minimize the number of and, whenever possible, co-locate rooftop antennas and other rooftop structures.</p> <p>C. Monopole structures or antennas shall not include guy wires.</p> <p>D. Amplified music shall not be permitted.</p> <p>E. The use of insecticides, herbicides, anticoagulant rodenticides or any toxic chemical substance that has</p>	<p>YES – a photometric plan has been submitted which identifies the footcandles and does not exceed 0.10 of light at the edge of the project.</p> <p>A condition of approval is included that antennas and/or satellite dishes shall be located on the roof top.</p> <p>Proposed project is not a monopole structure, but a 6-story mixed use building with 281 units.</p> <p>See Policy 5.23 above for response to the use of ecologically responsible pest control methods.</p>	<p>Construction and on-going operations.</p>

Policy	Applicable to proposed project?	Timing for compliance
<p>the potential to significantly degrade biological resources shall be prohibited, except where necessary to protect or enhance the habitat itself, such as for eradication of invasive plant species or habitat restoration, and where there are no feasible alternatives that would result in fewer adverse effects to the habitat value of the site. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application. Herbicide application necessary to prevent regrowth of highly-invasive exotic vegetation such as giant reed/cane (<i>Arundo donax</i>) shall be restricted to the best available and least-toxic product and method in order to minimize adverse impacts to wildlife and the potential for introduction of herbicide into the aquatic environment or onto adjacent non-targeted vegetation. In no instance shall herbicide application occur if wind speeds on site are greater than five miles per hour or 48 hours prior to predicted rain. In the event that rain does occur, herbicide application shall not resume again until 72 hours after rain.</p>		
<p><u>LUP Policy</u></p>		
<p>1. [LUP POLICY] Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required (Coastal Act Section 30244).</p>	<p>The project developer shall be required to review and implement as applicable the mitigation measures contained in the Cultural Resources Section (CUL-1 through CUL-4)</p>	<p>During construction and in compliance with MMRP,</p>
<p style="text-align: center;"><u>Resource Extraction Policies 1 through 4</u></p> <p>These polices do not apply to the proposed project as there is no newly proposed or existing resource extraction or oil and gas development at the Site. The site is currently developed with an existing office building with tuck under and at-grade surface parking for vehicles.</p>		

Policy	Applicable to proposed project?	Timing for compliance
<u>Lower Cost Overnight Accommodations Policies 1 through 7</u>		
<p>This project does not contain or impact lower cost recreation or over-night accommodations. The proposal removes a 40+ year old office building and replaces it with a 6-story mixed use building with 281 units, 13 of which are affordable at the very low-income level.</p>		
<u>SEASP Coastal Hazard Policies 2-4, 6-12, 14-16 and 18</u>		
<p>The Coastal Hazards Policies as noted above do not apply to the project proposal commenced by a private developer. The project is not phased nor is not coastal dependent. A Flood Resilience Assessment was prepared with the analyses noted in #1 below. Conditions of approval are included which minimize risk to the greatest extent feasible.</p>		
<p>1. New development shall minimize risk to life and property by planning for coastal hazards over the expected life of the proposed development through avoidance in siting, or if avoidance is not possible, through adaptive design measures pursuant to the Adaptive Siting and Design policies (SEASP Policies 6.7.o.1 and 6.7.o.2).</p>	<p>Yes – The project developer submitted a Flood Resilience Assessment for the subject project. Conditions of approval have been added to reflect the recommendations as stated in the report.</p> <p>The technical analyses provide:</p> <ul style="list-style-type: none"> • An assessment of flood hazards indicated on FEMA Maps and publicly-available data, including USACE (U.S. Army Corps of Engineers) data • An assessment of publicly-available topographic maps to identify relevant watershed characteristics and flood pathways • Site-specific assessment of future rainfall and flooding projections obtained from Fathom data • Narrative assessment of flood hazard finding and flooding extents 	<p>At plan check and during construction.</p>

Policy	Applicable to proposed project?	Timing for compliance
	<ul style="list-style-type: none"> • Recommendations for flood protection measures at the new development 	
<p>5. Sea Level Rise Assessment</p> <p>All development projects within known or projected vulnerable areas shall be required to conduct a sea level rise vulnerability assessment by a registered professional engineer or architect using the best available science and shall be required to use the appropriate risk scenario as outlined in Appendix E, consistent with the Coastal Commission SLR Guidance document. The vulnerability assessment shall be required to assess the vulnerability of the site for the expected life of the development and shall not be constrained by the planning horizon for the SEASP (2060). Before the City formally accepts a coastal development permit application, the application shall:</p> <ol style="list-style-type: none"> 1) Identify project area and scope; 2) Identify anticipated project life and relevant sea level rise projections in consultation with Appendix E; 3) Analyze physical effects of coastal hazards and sea level rise; 4) Analyze impacts to coastal resources considering sea level rise; and 5) Identify project alternatives. 	<p>Yes – See #1 above.</p>	<p>See #1 above.</p>
<p>13. For any property at risk from impacts from sea level rise, the City shall add an advisory condition to discretionary approvals alerting current and future property owners of the risk.</p>	<p>Yes – A condition of approval has been added that the developer shall record a covenant on the property alerting future owners to impacts from seal level rise.</p>	<p>Prior to Certificate of Occupancy</p>
<p>17. The City of Long Beach Climate Action and Adaptation Plan (CAAP) shall be</p>	<p>The City’s Climate Action Plan was approved and adopted by</p>	<p>On-going</p>

Policy	Applicable to proposed project?	Timing for compliance
submitted for certification by the Coastal Commission as an amendment to the Long Beach Local Coastal Program at a later date.	the City Council in August 2022. It is currently under review by the Coastal Commission.	