

H-19

September 14, 2021

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and adopt Negative Declaration ND08-20;

Declare an Ordinance amending the Long Beach Municipal Code by adding Chapter 21.68 creating Enhanced Density Bonus (EDB) to facilitate the development of mixed-income, multifamily housing by establishing regulations that offer a density bonus and development concessions in exchange for the provision of onsite, deed-restricted, very low-, low-, or moderate-income housing units; and by adding Section 21.25.506.A.7 regarding required Site Plan Review (SPR) findings, read the first time and laid over to the next regular meeting of the City Council for final reading;

Declare an Ordinance amending the Long Beach Municipal Code Subsections 18.15.110.A.2.e, 18.16.110.A.2.e, 18.17.130.B.5, and 18.18.120.E, all related to Impact Fee waivers for affordable moderate income units built or produced in future mixed-use and residential projects, 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 the Ordinance amendments to the California Coastal Commission for a finding of conformance with the Certified Local Coastal Program. (Citywide)

DISCUSSION

The State of California (State) Density Bonus Law was originally enacted in 1979 to help address affordable housing shortage by encouraging the development of more low- and moderate-income housing units. To help financially offset the cost of including a percentage of deed-restricted affordable units in a market-rate development, the State Density Bonus Law provides an increase in density over the density permitted by the City of Long Beach (City), in addition to development standard concessions and incentives to help financially offset the cost of affordable units.

Over 40 years later, the City, region, and State face even greater affordable housing challenges. The most recent update to the State's Density Bonus laws, Assembly Bill (AB) 2345 became effective January 2021. AB 2345 increased the density bonus from 35 percent to 50 percent, lowered the concession threshold when low income units are included, and amended parking requirements.

The proposed City Enhanced Density Bonus (EDB) involves amendments to the Long Beach Municipal Code (LBMC), primarily to Title 21 (Zoning Ordinance) to establish regulations to allow a “bonus” of increased density, development standard concessions, and other incentives in exchange for increased levels of affordable housing and other desired amenities, such as onsite childcare. The purpose of the EDB is to facilitate the development of mixed-income, multifamily housing to help address the need for more market-rate and affordable housing throughout Long Beach. It is called an “enhanced” density bonus because it would allow bonuses in excess of those permitted by the State Density Bonus Law (Government Code Section 65915), since State Density Bonus Law has not proven to be an effective mechanism for spurring the development of affordable housing in Long Beach over the past few decades.

The City Council has adopted policy direction over the past few years related to facilitating the production of affordable housing units in response to the well-documented housing shortage in Long Beach, across the region, and State. In May 2017, the City Council adopted 29 policy recommendations to support the production of affordable and workforce housing. The proposed EDB Ordinance will help implement Policy 1.4, which directs staff to promote the City’s Density Bonus Program to all multifamily housing developers, as well Recommendation 2e of the “Everyone Home” Long Beach Report, which calls for expanding the number of rent-stabilized units through options such as production, policy, and preservation. The proposed EDB helps increase the City’s deed-restricted affordable housing stock and implement the Long Beach General Plan Land Use Element (LUE) goals, policies, and land use strategies for accommodating the City’s projected housing need by focusing new development near high-quality transit and jobs, to help reduce greenhouse gas emissions while increasing household access to needed resources such as jobs and shopping. The LUE sets the blueprint for where projects would be eligible for the EDB. The EDB is designed to incentivize development projects to include affordable housing units as part of market-rate development projects in areas where multifamily residential and mixed-use development is contemplated by the LUE.

The proposed EDB Ordinance is a voluntary option to facilitate inclusion of affordable housing units in otherwise market-rate development projects. It focuses the greatest density bonuses and incentives in the most transit-accessible areas of Long Beach, as defined by State law (Attachment A – Transit Priority Areas). Affordable housing requirements can range from 15 percent (Very Low Income) to 24 percent (Moderate Income) of the base units of a project, depending on the project location and affordability level provided. An overview of some of the key components of the proposed EDB Ordinance is provided below:

- **Eligibility:** The EDB Ordinance would only be available for development projects proposed on properties in Long Beach that allow residential uses per the underlying zoning or the PlaceType and where five or more housing units could be built without a bonus, based on the allowable densities and site size. The EDB Ordinance does not change existing zoning nor does it increase allowable density to five units per lot. The five-unit baseline is an eligibility criterion. Properties zoned R1 and R2, or with the Founding Contemporary Neighborhood (FCN) PlaceType, would not be eligible as five units cannot be achieved in such areas.

- **Density Bonus:** The number of bonuses a project could achieve depends on how much affordable housing is provided as part of the project and the location of the project. Bonuses are tiered based on the three geographic areas in the EDB Ordinance--the Base Area, and two types of Transit Priority Areas defined by State law, which are High Quality Transit Corridors, and Major Transit Stops. In the Base Area, which are areas in Long Beach that do not meet the definition of Transit Priority Area, the maximum density bonus is 70 percent. Along High-Quality Transit Corridors (HQTCs), the maximum density bonus is 90 percent, and in Major Transit Stop areas, the maximum density bonus is 100 percent.
- **Development Concessions:** Concessions offer relief from certain development standards that could otherwise preclude the construction of a mixed-income multifamily housing project. The number of concessions an EDB project could seek is based on the percent density bonus a project qualifies for, which is based on the number and type of affordable units proposed for a project. The maximum number of concessions an EDB project may be eligible for is nine. Concessions are categorized into on-menu concessions or incentives, which are provided "by-right," while off-menu concessions would require review by the Planning Commission. On-menu concessions include Floor Area Ratio (FAR) increases, reductions in non-residential parking requirements, and relief from other requirements such as open space, transitional height, and individual setback requirements. On-menu concessions also include height concessions that would allow an additional story of height per incentive and a maximum two-story increase in the Base Area, and three stories in the Transit Priority Areas. Height increases would be subject to transitional height requirements. Off-menu incentives potentially include relief from other Zoning Code requirements not included on the "on-menu" list that an applicant demonstrates are needed to provide the affordable units. Requests for off-menu concessions would require approval by the Planning Commission and could only be approved upon the determination of the physical necessity of the incentive to provide the affordable units.
- **Transitional height requirements:** Height incentives for EDB projects are also subject to transitional height requirements to ensure context sensitivity and to minimize, to the extent feasible, impacts on adjacent properties. The proposed EDB Ordinance requires projects with height increases that share a lot line with or are across an alley from an R1 or R2 zone that is occupied by a single-family home or duplex, to step-back any height increase over 12 feet at least 10 feet from the exterior face of the ground floor of the building face.
- **Projects subject to Inclusionary Housing Requirements:** The Inclusionary Housing Ordinance, adopted by the City Council in February 2021, generally requires that residential development projects, located in the Midtown or Downtown areas of Long Beach and that propose ten or more dwelling units, must include a percentage of the total dwelling units as onsite affordable units. Such projects may also take advantage of the density bonuses, incentives, and concessions of the EDB Ordinance, but are only eligible for a maximum number of six concessions based on the total percent density bonus a project qualifies for.

- **Parking:** EDB projects are eligible for parking requirement reductions and may avail themselves of either the reductions offered by State regulations or the parking reductions offered through the proposed EDB Ordinance. Some aspects of the State regulations are more permissive, while some aspects of the proposed EDB parking ratios are more permissive, depending on the number of units and unit sizes of a proposed development project and the proximity of the projects to transit. Although the parking ratios are slightly lower in the proposed EDB Ordinance (for example, EDB proposes 1 parking space for a 2-bedroom unit, while State law requires 1.5 spaces), the proposed EDB Ordinance requires additional guest parking (1 space per 8 units), whereas the State parking rates are inclusive of guest parking and parking for persons with a disability. Additionally, State law further reduces the parking requirement to 0.5 parking spaces per unit for projects with at least 11 percent very-low income or at least 20 percent low-income units and that are located within one-half mile to a major transit stop. State law relieves developers entirely from onsite parking requirements for projects comprised of 100 percent affordable rental units and that are located within one-half mile from an accessible major transit stop. The proposed EDB eliminates parking requirements for 100 percent affordable projects regardless of location. The parking requirements of each of the sets of regulations are not directly comparable; as such, some projects would benefit from State parking requirements more than the proposed EDB parking requirements, and vice versa. Per the proposed EDB Ordinance, projects may choose to use either the State parking reductions or the EDB parking reductions but may not mix and match nor use the reductions of both regulations. Despite potential parking reductions for projects incorporating affordable units, development trends show that many projects, even 100 percent affordable projects, tend to provide parking in excess of minimum requirements to qualify for conventional funding and to improve the marketability of projects.
- **No-Net-Loss:** Under new no-net-loss provisions in the California Housing Crisis Act of 2019 (SB 330), which were adopted into the LBMC in February 2021 for compliance with State law, all housing development projects are subject to no-net-loss requirements to ensure that existing affordable units on a development site are replaced on a one-for-one basis and proposed projects don't result in a net loss of affordable units. The proposed EDB not only creates incentives for market-rate housing developments to include affordable units, but it also includes even stronger no-net-loss provisions than those required by State law. The EDB requires the replacement of affordable housing units that are both occupied by low-income households or are rented at affordable rates, regardless of whether the household is low-income, in addition to the affordable housing units required to receive the Density Bonus. Additionally, as part of this Zoning Code Amendment, new findings will be added to LBMC 21.25.506 (Findings Required) to address no-net-loss, consistent with LBMC Chapter 21.11 (No-Net-Loss) and recent State legislation to ensure that the construction of any housing development project does not result in a net loss of affordable residential housing units in Long Beach.
- **Impact Fees:** As part of this project, four sections of Title 18 of the LBMC would be amended to make moderate-income units eligible for Impact Fee exemptions. Currently,

lower income and very low-income units are exempt from development Impact Fees by Title 18 to incentivize the production of such units. In the City's 5th cycle of the Regional Housing Needs Assessment (RHNA), the City performed the worst in producing moderate income units out of any income category, having met only 3 percent of the moderate income RHNA category target of 1,170 units. This 6th cycle's moderate income RHNA target (4,158 units) is about 3.5 times that number. This proposed change to waive development Impact Fees for moderate-income units seeks to incentivize the production of moderate-income units in future mixed-use and residential projects.

There are many factors affecting housing development including construction and land costs, and demographic shifts, that are outside the City's control. Land use regulations, such as the proposed EDB Ordinance, are the primary tool for the City to address its housing crisis.

The proposed EDB Ordinance is a tool to increase the number of housing units produced in Long Beach for all income levels and to address the City's well-documented housing shortage. The proposed EDB Ordinance would apply citywide, but projects would only be eligible for EDB bonuses and incentives if the zoning or LUE already allows at least five housing units to be built on a site. Therefore, the EDB does not apply to single-family or low-density residential zones. Likewise, the proposed EDB Ordinance does not apply to areas planned solely for commercial use, where no residential uses are permitted.

Consistency with Local and State Policies

The proposed EDB Ordinance helps implement the LUE goals, policies, and land use strategies for accommodating the City's projected housing need by focusing new development near high quality transit and jobs, to create a more sustainable future, improve mobility choices, expand transit access, reduce greenhouse gas emissions, and improve air quality. The LUE sets the blueprint for the EDB. Eligible projects are most likely to be located on major corridors, centers, and transit stops where the LUE PlaceTypes already planned for development to occur, largely in the form of mixed-use projects (Attachment B – Eligible Zones Map and Attachment C – Eligible PlaceType Map).

The proposed EDB Ordinance is also complementary legislation to the City's recent adoption of the Inclusionary Housing Policy. The Inclusionary Housing Policy requires a percentage of affordable units in all new housing developments, but the requirement only applies to projects in Downtown and Midtown (Inclusionary Housing Policy Subarea 1). Market studies conducted to explore a citywide inclusionary housing policy concluded that mandatory inclusionary housing requirements could not be supported by development in other parts of Long Beach due in part to the restrictive development regulations. The proposed EDB Ordinance addresses this gap and provides a more viable, voluntary inclusionary housing option by establishing greater bonuses and incentives than State Density Bonus regulations. This approach is intended encourage mixed-income projects outside of Downtown and Midtown areas, which have not seen new residential development in recent decades due in part to the restrictive zoning. Creating opportunity for affordable housing in additional areas outside of Downtown and Midtown, including in "high opportunity" areas with quality schools, clean air and access to greenspace, helps implement various State and local policies, including the City's Framework

for Reconciliation, Assessment of Fair Housing, and the draft Housing Element Update, which is designed to comply with AB 686 for Affirmatively Furthering Fair Housing.

The proposed EDB Ordinance is an early implementation action of the 2021 Housing Element Update. The City is currently updating the Housing Element of the General Plan (the 6th Cycle of the Housing Element for 2021-2029), as required by State law. The Housing Element provides the City with a roadmap for accommodating the projected number of housing units needed to house existing and future City residents and guides future decisions that impact housing. The State mandates that each city accommodate its share of the region's housing needs as established by RHNA, which is set by the California Department of Housing and Community Development (HCD).

The RHNA for the upcoming 6th Cycle of the Housing Element is 26,502, which is more than three times larger than the 5th RHNA cycle allocation of 7,048 units. As of December 2020, with only six months left in the eight-year cycle, the City had only achieved 59 percent of its RHNA, and only 17 percent of its affordable RHNA units. For the 2021-2029 cycle, the projected need for affordable housing is more than twice the total RHNA allocation for all income levels in the current cycle, which again the City is not on track to meet. For the upcoming cycle, cities are subject to a growing number of financial and legal penalties for lack of compliance with RHNA and Housing Element Law due to worsening housing shortage across the state.

In addition to housing production trends, which show that not enough affordable housing is being built in Long Beach, recent market and economic analysis has shown that it is financially infeasible to build housing in many locations identified for housing by the LUE, based on ground truthing undertaken as part of UPLAN using the EDB framework. Infeasibility is due to both zoning restrictions and physical site constraints, such as the preponderance of small and shallow lots, so development is still unlikely in many locations. The proposed EDB Ordinance aims to provide a level of bonuses and incentives that improve the feasibility of mixed-income multifamily projects throughout Long Beach. While the State adopted amendments to the State Density Bonus Law that went into effect January 2021, the increase in density bonuses in some instances increased to 50 percent (from 35 percent) and are still insufficient to encourage privately-developed, mixed-income projects; with the greater density bonuses and other incentives, the proposed EDB aims to remedy this condition. Therefore, since many sites contemplated by the LUE for housing are not likely to develop, to meet the RHNA and housing needs of the Long Beach community, larger projects would be needed since fewer sites are likely to be developed than anticipated.

The proposed EDB Ordinance offers bonuses and incentives that are tailored to the local context. Eligible projects will have opportunity to choose between either the local regulation (EDB) or the State bonus program (and will not be able to combine bonuses and incentives). Having both sets of regulations offers projects options that will make more projects feasible as they offer varying bonuses, required levels of affordability, and incentives. One or the other of the two sets of regulations, depending on the location and size of the projects, may improve the feasibility of a project.

The proposed EDB Ordinance is temporary and will help the City meet a projected housing demand of 26,502 units through 2029, as required by the State in the upcoming Housing Element cycle. The EDB Ordinance will sunset, unless readopted by the City Council, either when the City meets its affordable component of its RHNA allocation of 26,502 (58 percent or more than 15,000 units) or in 2030, whichever comes first. Measures to encourage housing production in Long Beach are critical to meeting housing targets.

This matter was reviewed by Assistant City Attorney Michael J. Mais on August 4, 2021 and by Budget Analysis Officer Rhutu Amin Gharib on August 24, 2021.

Environmental Review

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

The LUE PEIR analyzed an anticipated buildout of 28,500 housing units, including an analysis of the environmental impacts to air quality, public services, recreation, transportation, and much more. The EDB is intended to implement the LUE and to help facilitate the housing concentrated in the areas identified by the LUE. The EDB sunset clause ensures that housing facilitated by the proposed ordinance does not exceed the levels of housing anticipated by the LUE nor the impacts identified in the LUE PEIR.

The LUE PEIR's anticipated buildout was 28,524 housing units, focused near transit. The LUE PEIR has already analyzed an anticipated buildout larger than the City's 6th Cycle Housing Element RHNA. The EDB is a zoning tool to help facilitate the levels of development anticipated by the LUE PEIR, which exceed the City's 26,502-unit RHNA allocation, which is less than the buildout contemplated by the LUE. Furthermore, such projects would be concentrated in those areas identified in the LUE, which are largely areas that are located within transit priority areas in which aesthetic and parking impacts will not be considered significant impacts in accordance with Public Resources Code Section 21099, which also established Vehicle Miles Traveled (VMT) rather than vehicular Level of Service (LOS) as the new metric for determining traffic impacts.

The LUE PEIR found less than significant impacts with adherence to standard conditions and prescribed mitigation measures for all but four impact areas: air quality, noise, climate change,

and transportation. For air quality and noise, construction activity associated with this buildout was found to be significant and unavoidable due to exact timing and amount of construction.

The PEIR was adopted pursuant to CEQA in 2019; all required environmental impacts have been considered and mitigation measures have been incorporated to reduce or minimize potential environmental effects to the maximum extent feasible. A Statement of Overriding Conditions for the four topics with significant and unavoidable impacts was also adopted as part of the PEIR.

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 has been prepared.

Public Hearing Notice

In accordance with public hearing notification requirements for a Zoning Code Amendment in Long Beach Municipal Code (LBMC) Section 21.21.302.C, notice of this public hearing was published in the Long Beach Press-Telegram on August 31, 2021. Notices were also provided to City libraries that are currently open, notice posting was provided at City Hall but not at multiple locations. A notice of the proposed Zoning Code amendment was distributed through the City's LinkLB e-mail blast system and to individual stakeholders who have requested notification on this item. No responses were received in response as of the date of preparation of this report. Any comments received prior to the City Council hearing will be provided at the hearing.

Summary of Community Engagement and Public Comment

Community outreach for the proposed EDB Ordinance was conducted as part of the Housing Element Update outreach process, since the proposed EDB is an early implementing action of the Housing Element Update. The Ordinance framework was presented at outreach meetings on August 12, 2020, April 28, 2021, and May 1, 2021, as well as at focus group meetings earlier this year. Inquiries and comments at the meetings spanned a wide range of housing-related topics, as well as comments on the need for more affordable housing and the quality of housing. Some concerns were raised regarding parking included (or excluded) with affordable housing; concerns regarding the difficulty in finding affordable housing in the City; challenges in securing housing for families; and, concerns expressed about not having enough parking or infrastructure to support new housing. Some participants underscored the need for more housing, particularly affordable housing citywide, while others expressed concerns over whether and where new housing should be built. Feedback on the proposed EDB Ordinance consisted of a concern that the 100 percent bonus may induce displacement and is also high in relation to the affordability requirement; another comment received was that the goal of EDB should be to increase the proportion of affordable units by stimulating market-rate housing.

Information on the proposed EDB Ordinance has also been included in the virtual open house for the Housing Element Update that has been available for people to review and provide feedback at any time via the Housing Element Update website. The virtual open house has been available since December 2020.

Staff has received three letters of support on the Ordinance, ten comments of concern, and five letters regarding the Negative Declaration but two were received after the deadline (Attachment E – Public Comment). Generally, the letters of concern cited concerns over infrastructure capacity and parking, insufficient noticing, concerns over density, concerns over the height incentive, concerns that the Ordinance will have negative impacts on air quality, aesthetics, land use planning, public services, recreation, water and other utilities, energy, greenhouse gas emissions, noise, population/housing, and transportation. As discussed above, in the Environmental Compliance section of the report, the LUE PEIR found less than significant impacts with adherence to standard conditions and prescribed mitigation measures for all but four impact areas: air quality, noise, climate change and transportation. For air quality and noise, construction activity associated with this buildout was found to be significant and unavoidable due to exact timing and amount of construction. A Statement of Overriding Conditions for the four topics with significant and unavoidable impacts was also adopted as part of the PEIR.

Planning Commission Review

The proposed EDB Ordinance was first presented at a Planning Commission study session on July 16, 2020, as part of a suite of housing ordinances that would serve as early implementation measures of the Housing Element Update.

At the regularly scheduled June 17, 2021 Planning Commission hearing, the Planning Commission unanimously recommended that the City Council adopt the proposed EDB Ordinance consistent with adopted policies and plans (Attachment F – Planning Commission Report and Attachment G – Findings).

TIMING CONSIDERATIONS

City Council action is requested on September 14, 2021. Pursuant to Section 21.25.103 of the Zoning Code, this request should be presented to the City Council within 60 days of the Planning Commission hearing, which took place on June 17, 2021. The September 14, 2021 public hearing date was the first available opportunity for the item to be reviewed by the City Council. Adoption of the proposed EDB Ordinance is a necessary precursor to adoption of the Housing Element, which is expected to be before the City Council by the end of the calendar year.

FISCAL IMPACT

Approval of this recommendation and the proposed EDB Ordinance will have a fiscal impact. The proposed EDB Ordinance will reduce impact fee revenues for newly developed moderate-income housing units while encouraging the construction of new market rate housing units. Impact Fees are collected for transportation improvements and police, fire, and park facilities. Exemptions in this fee category are already in place for very-low-income and low-income housing units. The extent of the revenue loss due to the Impact Fee waiver cannot be quantified at this time due to the speculative nature of estimating the number of new affordable housing units that will be constructed by private developers. Because this Ordinance is intended to facilitate construction of additional housing units in Long Beach, the City's property tax revenue is expected to increase. This recommendation has no staffing impact beyond the budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



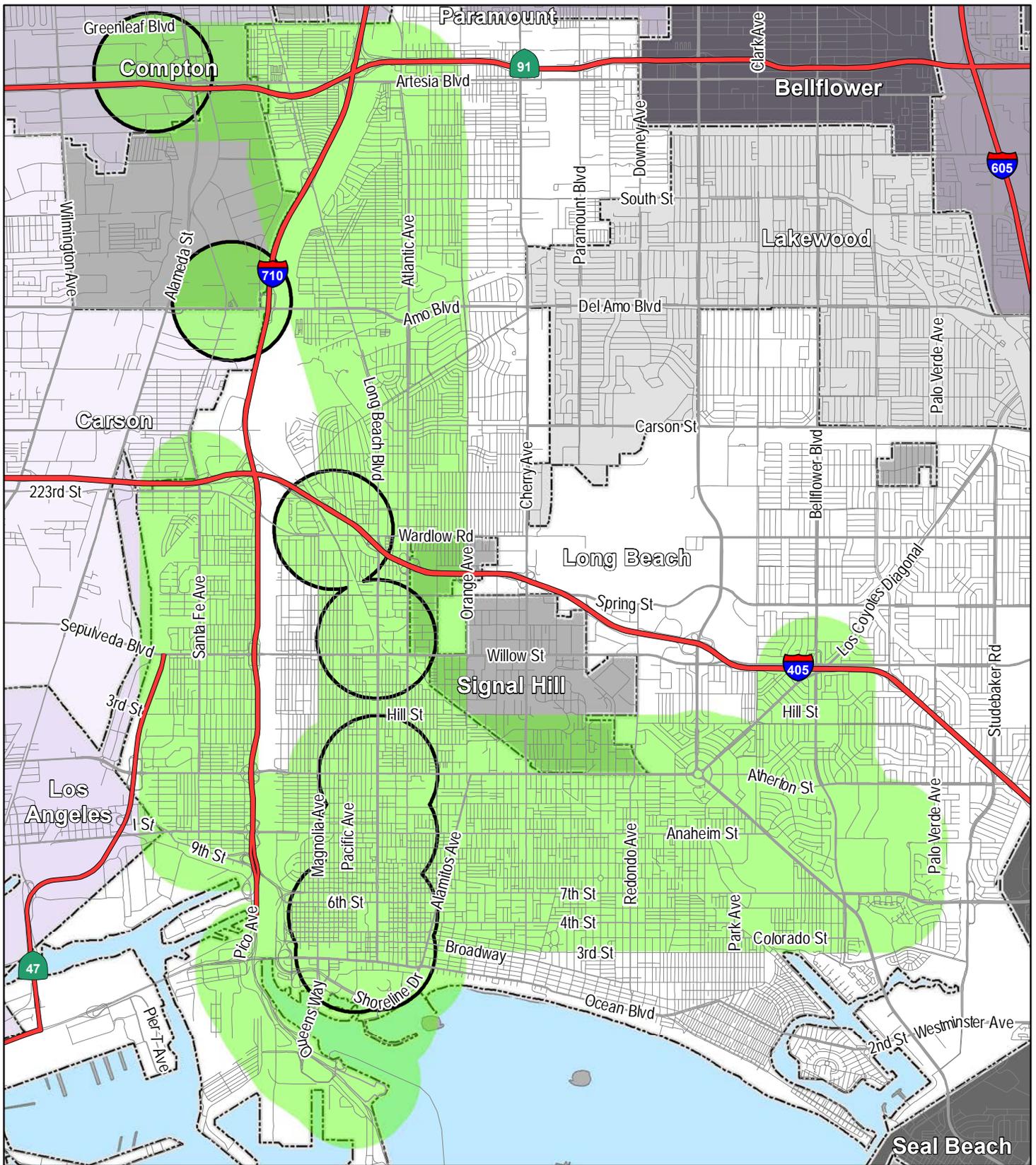
OSCAR W. ORCI
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:



THOMAS B. MODICA
CITY MANAGER

- ATTACHMENTS: ORDINANCES (2)
RESOLUTION
ATTACHMENT A - TRANSIT PRIORITY AREAS
ATTACHMENT B - ELIGIBLE PLACETYPE MAP
ATTACHMENT C - ELIGIBLE ZONES MAP
ATTACHMENT D - NEGATIVE DECLARATION ND08-20
ATTACHMENT E - PUBLIC COMMENT
ATTACHMENT F - PLANNING COMMISSION REPORT
ATTACHMENT G - FINDINGS



LEGEND

- Half mile from High Quality Transit Corridor or Major Transit Stop
- Half mile from Major Transit Stop

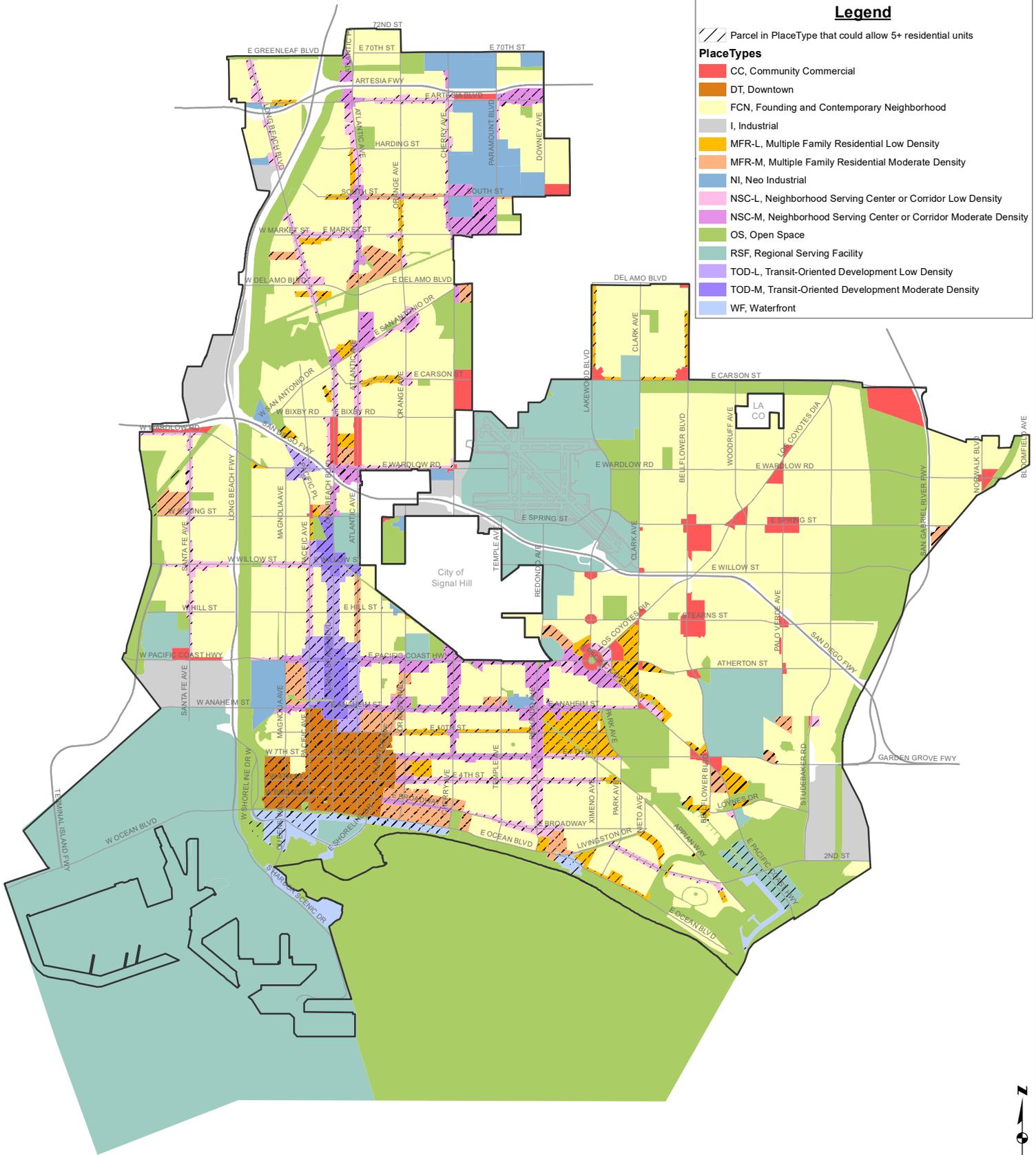


SOURCE: Esri (2008); City of Long Beach (3/16/2020)
I:\CLB1904.09\GIS\MXD\LB_TPA.mxd (5/28/2020)

FIGURE 4

Legend

-  Parcel in PlaceType that could allow 5+ residential units
- PlaceTypes**
-  CC, Community Commercial
-  DT, Downtown
-  FCN, Founding and Contemporary Neighborhood
-  I, Industrial
-  MFR-L, Multiple Family Residential Low Density
-  MFR-M, Multiple Family Residential Moderate Density
-  NI, Neo Industrial
-  NSC-L, Neighborhood Serving Center or Corridor Low Density
-  NSC-M, Neighborhood Serving Center or Corridor Moderate Density
-  OS, Open Space
-  RSF, Regional Serving Facility
-  TOD-L, Transit-Oriented Development Low Density
-  TOD-M, Transit-Oriented Development Moderate Density
-  WF, Waterfront



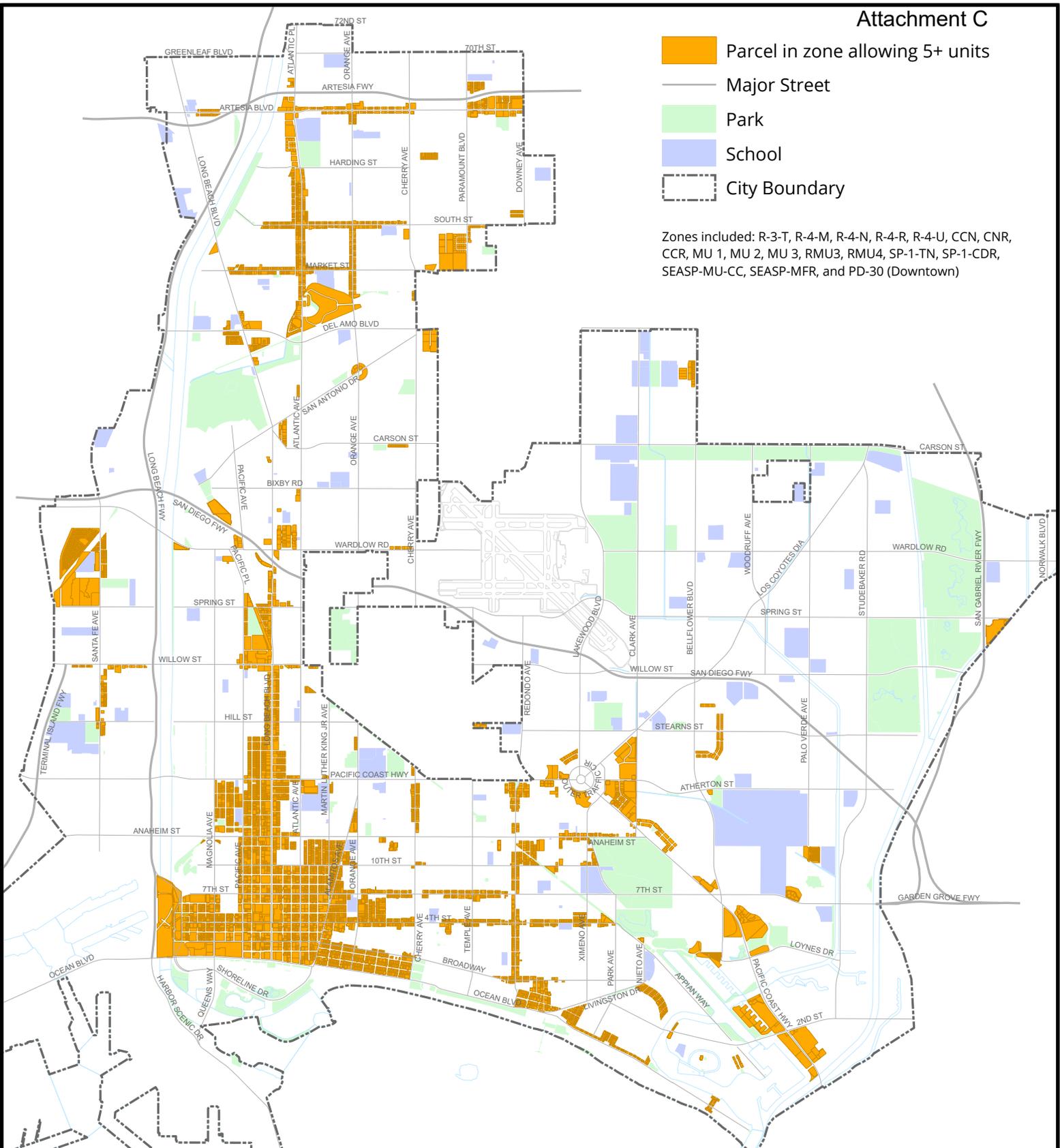
Eligible PlaceTypes Land Use Element

As of June 2021

Disclaimer: For informational purposes only. Exact determination of eligibility will depend on zoning requirements, parcel size, and other factors. Parcels are included if construction of 5 or more units may be allowed by the underlying General Plan Land Use Element PlaceType.

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

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



Enhanced Density Bonus

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





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

NEGATIVE DECLARATION

ND 08-20

Prepared by:

City of Long Beach
Department of Development Services
Planning Bureau

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INITIAL STUDY

Project Title:

City of Long Beach Enhanced Density Bonus Ordinance

Lead agency name and address:

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

Contact person and phone number:

Cynthia de la Torre
(562) 570-6559

Project Location:

City of Long Beach, County of Los Angeles, California

Project Sponsor's name and contact information:

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

General Plan:

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

Zoning:

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

Project Description:

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

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

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

2. Administrative Procedures

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

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

Surrounding land uses and settings:

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

Public agencies whose approval is required:

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

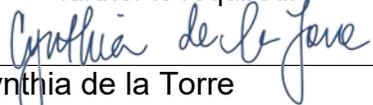
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages:

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

DETERMINATION:

On the basis of this initial evaluation:

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


 Cynthia de la Torre
 Planner

4/29/21
 Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

conflict with applicable zoning and other regulations governing scenic quality?

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

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

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

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

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

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

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

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

II. AGRICULTURE AND FORESTRY RESOURCES

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

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

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

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

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

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

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

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

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

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

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

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

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

III. AIR QUALITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. Expose sensitive receptors to substantial pollutant concentrations?

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

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

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

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

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

IV. BIOLOGICAL RESOURCES. Would the project?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

V. CULTURAL RESOURCES. Would the project:

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

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

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

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

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

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

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

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

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

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

VI. ENERGY. Would the project:

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

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

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

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

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

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

VII. GEOLOGY AND SOILS. Would the project:

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

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

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

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

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

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

ii) Strong seismic ground shaking?

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

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

iii) Seismic-related ground failure, including liquefaction?

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

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

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

iv) Landslides?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VIII. GREENHOUSE GAS EMISSIONS. Would the project?

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

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

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

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

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

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

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

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

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

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

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

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

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

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

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

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

Please see Section IX.a. above for discussion.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

X. HYDROLOGY AND WATER QUALITY. Would the project:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

iv) impede or redirect flood flows?

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

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

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

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

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

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

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

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

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

XI. LAND USE AND PLANNING. Would the project:

a. Physically divide an established community?

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

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

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

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

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

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

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

No further environmental analysis is required.

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

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

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

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

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

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

XII. MINERAL RESOURCES. Would the project:

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

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

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

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

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

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

Please see Section XII.a. above for discussion.

XIII. NOISE. Would the project result in:

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

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

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

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

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

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

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

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

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

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

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

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

XIV. POPULATION AND HOUSING. Would the project:

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

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

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

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

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

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

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

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

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

XV. PUBLIC SERVICES. Would the project:

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

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

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

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

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

a. Fire protection?

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

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

b. Police protection?

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

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

c. Schools?

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

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

d. Parks?

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

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

e. Other public facilities?

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

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

XVI. RECREATION

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

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

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

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

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

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

XVII. TRANSPORTATION. Would the project:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

d. Result in inadequate emergency access?

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

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

XVIII. TRIBAL CULTURAL RESOURCES

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

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

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

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

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

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

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

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

XX. WILDFIRE

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

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

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

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

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

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

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

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

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

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

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

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

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

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

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

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

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

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

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

REFERENCES

- California Building Standards Code. 2019 Triennial Edition of Title 24.
https://up.codes/viewer/california/ca-energy-code-2019/chapter/california_code_of_regulations_/california-code-of-regulations-title-24#california_code_of_regulations . Accessed March 2021.
- California Emissions Estimator Model. Retrieved March, 2021, from
<http://www.caleemod.com/>
- City of Long Beach. (2019). General Plan Land Use Element (LUE).
<http://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/advance/lueude/land-use-element-final-adopted-december-2019>. Accessed January 2021.
- City of Long Beach. (2019). General Plan Urban Design Element (UDE).
<http://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/advance/lueude/urban-design-element-final-adopted-december-2019>. Accessed January 2021.
- City of Long Beach. (2019). Land Use Element (LUE)/ Urban Design Element (UDE) Program Environmental Impact Report (EIR). <http://longbeach.gov/globalassets/lbds/media-library/documents/planning/advance/lueude/final-lue-eir-2019>. Accessed January 2021.
- City of Long Beach Municipal Code.
https://library.municode.com/ca/long_beach/codes/municipal_code. Accessed January 2021.
- City of Long Beach Zoning Code (Title 21).
https://library.municode.com/ca/long_beach/codes/municipal_code?nodeId=TIT21ZO. Accessed January 2021.
- Southern California Association of Governments (SCAG). 2020. 2020-2045 Regional Transportation Plan (RTP)/ Sustainable Communities Strategy (SCS).
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176. Accessed January 2021.
- 2020 State of California Environmental Quality Act (CEQA). Guidelines linked from the Governor’s Office of Planning and Research (OPR) webpage here:
<https://opr.ca.gov/ceqa/> to https://www.califaep.org/statute_and_guidelines.php. Accessed March 2021.

Cynthia de la Torre

From: THOMAS VISKA <[REDACTED]>
Sent: Thursday, May 6, 2021 3:24 PM
To: Cynthia de la Torre
Subject: Re: Enhanced Density Bonus Ordinance - Negative Declaration Public Review

-EXTERNAL-

Hi Cynthia!

Thank you for taking the time to talk with me today. As per our conversation, a lot of my concerns with new developments are

1. Water - I recently received an email asking us to conserve water and also water your lawns only on certain and limited days. Ironically, the City of Long Beach Water website says we no longer have to have mandated days, but it's asking to conserve.
2. Electricity - I recently received an email, as well as a letter comparing my electricity usage, asking to turn our thermostats down during the hot days so we don't have black outs.
3. Parking - Parking, was ALL LB residents have experienced, is a huge problem. Before moving to Los Altos, I lived in CA Heights and the parking was always an issue with 4-plexes renting their garages out to landscapers or other people, forcing tenants to find street parking. Average for CA: 1.88 cars per household. low-income or not.
4. Infrastructure - Long Beach roads are the worse. Traffic is bad.

These are some of my concerns. Thank you for listening to another old person complain.. lol

Thomas Viska
[REDACTED]
Long Beach, CA
90815

On May 6, 2021 at 2:01 PM, Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov> wrote:

Hi Thomas,

I don't seem to have your number. Could you please give me a call at my number below?

Cynthia de la Torre

Planner IV

Pronouns: She, Her, Hers, Ella

Cynthia de la Torre

From: Truong, Cassie [REDACTED]
Sent: Friday, June 11, 2021 8:53 AM
To: Cynthia de la Torre
Cc: Ling, Shine
Subject: Long Beach Enhanced Density Bonus Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

-EXTERNAL-

Greetings,

Thank you for the opportunity to comment on the Long Beach Enhanced Density Bonus Ordinance. Metro does not have any formal comments for the Negative Declaration, but we would like to provide the following information in support of the ordinance's development:

The Ordinance (Project) should include updated information on existing and planned transit services and facilities within the Project area. Metro encourages the City to continue providing for additional density for developments surrounding major transit stops which should include, without limitation, high-frequency bus stops and Metro Rail stations. Metro's NextGen Bus Plan should be used as a resource to determine the location of high-frequency bus stops within the Project area. For more information, visit the NextGen Bus Plan's website at <https://www.metro.net/projects/nextgen/>. Please also refer to Metro's 2020 Long Range Transportation Plan and Measure M Expenditure Plan.

If you have any questions, please contact Shine Ling by email at [REDACTED]

Best,
Cassie

Cassie Truong

LA Metro
Transportation Associate II
Transit Oriented Communities
[REDACTED]

[metro.net](https://www.metro.net) | [facebook.com/losangelesmetro](https://www.facebook.com/losangelesmetro) | [@metrolosangeles](https://twitter.com/metrolosangeles)

Metro's mission is to provide world-class transportation for all.

Cynthia de la Torre

From: Council District 2
Sent: Friday, June 4, 2021 1:04 PM
To: Mike Kowal; [REDACTED] Cynthia de la Torre
Subject: RE: Enhanced Density Bonus Ordinance ND Comments

Good afternoon,

I hope this email finds you well. Thank you for sending in your comments. I will brief Councilwoman Allen on your concerns.

Thank you!

Mia Hernandez-Perez

Legislative Assistant / Scheduler
She|Her|Hers
Office of Councilwoman Cindy Allen, 2nd District
411 W. Ocean Blvd, 11th Floor
Long Beach, CA 90802
(562)-570-2222

From: Mike Kowal [REDACTED]
Sent: Thursday, June 3, 2021 10:38 PM
To: [REDACTED] Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Mayor <Mayor@longbeach.gov>
Subject: Re: Enhanced Density Bonus Ordinance ND Comments

-EXTERNAL-

Thank you.

[Sent from the all new AOL app for iOS](#)

On Thursday, June 3, 2021, 3:25 PM, [REDACTED] wrote:

On Wed. June 2, 2021, I received the following e-mail from Cynthia DeLatorre:

*On June 17, 2021, the Planning Commission will consider recommending that the City Council **accept Negative Declaration** and approve amendments to several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of mixed income multi-family housing in exchange for the provision of on-site, deed-restricted affordable housing units as part of the Enhanced Density Bonus (EDB) ordinance. The proposed EDB would establish regulations to allow a "bonus" of increased density and development standard concessions in exchange for increased levels of affordable housing.*

I question placing recommendation of the Negative Declaration on the Planning Commission agenda before the deadline for comments on this document, much less time to read them, has passed. Please postpone this going to the Planning Commission until more public input is received.

Below are comments from Citizens About Responsible Planning/CARP

Enhanced Density Bonus Ordinance Negative Declaration Comments

This Enhanced Density Bonus Ordinance is based on information from the 2010 Census. Population numbers have changed with the 2020 Census. A new plan needs to be done which uses current population numbers.

The proposed Municipal Code Amendments would cover **all zoning districts, Specific Plan areas, and all Planned Development districts that allow residential uses in the City of Long Beach**. A project of this size, which can affect nearly every neighborhood in the City, deserves an Environmental Impact Report, not a Negative Declaration.

This Negative Declaration is the most inadequate we have ever seen. How can increasing density up to 5 units on a lot not impact Aesthetics, Air Quality, Energy, Greenhouse Gas Emissions, Land-Use/planning, Noise, Population/Housing, Public Services, Recreation, Transportation, or Utilities? Yet every one of these is checked as No Impact or Less than Significant Impact. There have been no studies done to determine if there will be impacts or not, just the planner's statement that there are none.

For example, in discussing Air Quality, it is stated: "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." Then, with no proof, it is stated that there will be no impact on Air Quality with these allowed 5 units on a single lot. The construction activity alone can pollute the air, not to mention the new residents driving around looking in vain for parking. Just by living near a bus stop or having the ability to ride a bike does not guarantee that the residents will give up their cars.

As CARP member, Melinda Cotton points out, "If COVID taught us anything, it's that every household needs a car:

to get COVID testing, to be in line at a Food Bank, to pick up food and necessities at "curb service"; to get a COVID vaccination, to get yourself to work because public transit is either not running or changed schedules, or too scary because of proximity to COVID infected passengers. Also - Electric Cars require a place to park at home to connect to a charger. Eliminating garages and required apartment/condo/home parking spaces means fewer people will buy Electric Cars because they have no place overnight to park and charge them."

Added people mean there will be a need for more Public Services, Recreation, Water and other Utilities, yet this Negative Declaration states there will be No Impact.

CARP urges that the City do an adequate CEQA document for this very important change to Zoning for every district.

Ann Cantrell, for
Citizens About Responsible Planning/CARP

Please send acknowledgement of receipt

Cynthia de la Torre

From: Cynthia de la Torre
Sent: Wednesday, June 2, 2021 8:29 AM
To: [REDACTED]
Cc: Alison Spindler-Ruiz; Roberts, Elise
Subject: RE: Public comment...Enhanced Bonus Density maps and projected plan

Hi Lisa,

Thank you for your email. The 30-days' notice is for the environmental document (the "Negative Declaration") produced in accordance with the California Environmental Quality Act (CEQA) for the ordinance. That notice was given to those on the interested parties list for the ordinance and CEQA.

There is also a 14-day public comment period on the ordinance in advance of both Planning Commission and City Council hearings required for the ordinance. The Link LB Blast was sent prior to the start of the 14-day public comment period for the June 17 Planning Commission hearing, which begins tomorrow. Public comment is still accepted on this project up until and at both Planning Commission and City Council hearings. We would be happy to also add you to this and/or other housing policy-related interested parties lists in the future.

Thank you,

Cynthia de la Torre
Planner IV
Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6559



From: LM Harris [REDACTED]
Sent: Wednesday, June 2, 2021 7:42 AM
To: Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Subject: Public comment...Enhanced Bonus Density maps and projected plan

-EXTERNAL-

I am requesting a 60 day extension for public comment on the proposed enhanced bonus density planning.

The public hasn't had enough time to digest the maps or the actual impact on neighborhoods. 6/3 cutoff is NOT adequate notice.

<https://www.longbeach.gov/lbds/planning/advance/studies/>

Lisa Marie Harris

Cynthia de la Torre

From: Cynthia de la Torre
Sent: Wednesday, June 2, 2021 9:45 AM
To: [REDACTED]
Cc: Elise Roberts; Alison Spindler-Ruiz
Subject: RE: Proposed Enhanced Density Bonus Ordinance to Planning Commission 6/17/21

Hi Leslie,

Thank you for your email. A 30-days' notice, which began on May 3rd, was given for the environmental document (the "Negative Declaration") produced in accordance with the California Environmental Quality Act (CEQA) for the ordinance. That notice was given to those on the interested parties list for the ordinance and CEQA.

There is also a 14-day public comment period on the ordinance in advance of both Planning Commission and City Council hearings required for the ordinance. The Link LB Blast was sent prior to the start of the 14-day public comment period for the June 17 Planning Commission hearing, which begins tomorrow. Public comment is still accepted on this project up until and at both Planning Commission and City Council hearings. We would be happy to also add you to this and/or other housing policy-related interested parties lists in the future.

Thank you,

Cynthia de la Torre
Planner IV
Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6559



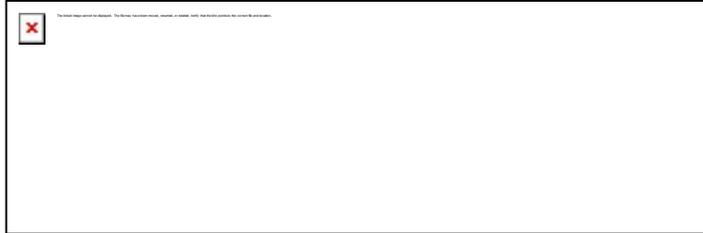
From: Leslie Charlesworth [REDACTED]
Sent: Tuesday, June 1, 2021 3:13 PM
To: LBDS <LBDS@longbeach.gov>
Subject: Re: Proposed Enhanced Density Bonus Ordinance to Planning Commission 6/17/21

-EXTERNAL-

Two days notice is insufficient!



[View this email in your browser.](#)



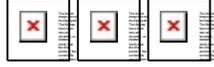
For COVID-19 (coronavirus) updates, visit: longbeach.gov/COVID19.

On June 17, 2021, the Planning Commission will consider recommending that the City Council accept Negative Declaration and approve amendments to several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of mixed income multi-family housing in exchange for the provision of on-site, deed-restricted affordable housing units as part of the Enhanced Density Bonus (EDB) ordinance. The proposed EDB would establish regulations to allow a “bonus” of increased density and development standard concessions in exchange for increased levels of affordable housing.

As proposed, the Enhanced Density Bonus would only apply to residential properties anywhere in the City on which five (5) or more housing units can be built, based on the zoning code and site size. For informational purposes, the maps linked on the City's [Special Studies & Reports](#) show where, based on zoning or the General Plan PlaceType, 5 or more dwelling units may be permitted and could, therefore, be eligible for the Enhanced Density Bonus. Please see the Special Studies & Reports page for FAQs on this ordinance and additional information.

The Negative Declaration is based on the finding that the project will not have significant adverse impacts to the environment. The Negative Declaration can be viewed on the City's [Environmental Reports](#). The 30-day public review period associated with the Negative Declaration ends on June 3, 2021. In accordance with the California Environmental Quality Act (CEQA) guidelines, any comments concerning the findings of the proposed Negative Declaration must be submitted in writing and received by the City no later than 4:30 p.m. on the closing date of the public review period as cited in the Notice of Intent, in order to be considered prior to the City's final determination on the project.

Should you decide to challenge either of these projects, you may be limited to the issues raised during this public review period. Please submit written comments to Cynthia de la Torre at Cynthia.DeLaTorre@LongBeach.gov.



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Sent by linklb@longbeach.gov

--
Leslie F. Charlesworth
Creative Project Management and Communications

Cynthia de la Torre

From: Cynthia de la Torre
Sent: Thursday, June 3, 2021 2:46 PM
To: [REDACTED]
Cc: Alison Spindler-Ruiz
Subject: RE: Enhanced Density Bonus Ordinance

Hi Janet,

Thank you for your comment; it will be forwarded to decision-makers. A 30-days' notice, which began on May 3rd, was given for the environmental document (the "Negative Declaration") produced in accordance with the California Environmental Quality Act (CEQA) for the ordinance. That notice was given to those on the interested parties list for the ordinance and CEQA.

There is also a 14-day public comment period on the ordinance in advance of both Planning Commission and City Council hearings required for the ordinance. The Link LB Blast was sent prior to the start of the 14-day public comment period for the June 17 Planning Commission hearing, which begins today. Public comment is still accepted on this project up until and at both Planning Commission and City Council hearings.

The Exhibit A Transit Priority Map was produced using the State's definitions of Transit Priority Areas and is based on State law.

Best,

Cynthia de la Torre
Planner IV
Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6559



From: Janet West [REDACTED]
Sent: Thursday, June 3, 2021 1:08 PM
To: Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Subject: Enhanced Density Bonus Ordinance

-EXTERNAL-

The public has not been adequately informed because the Exhibit A Map entitled "Long Beach Transit Priority Areas" included in the "Special Studies and Reports" is not the same as the map which determines Transit-Oriented Development from the Environmental Report for the Land Use Element General Plan. There is no explanation on what determined the Exhibit A Map and if and by what process that can be changed in the future.

Janet West



Cynthia de la Torre

From: Ian Patton [REDACTED]
Sent: Thursday, May 6, 2021 4:23 PM
To: Cynthia de la Torre
Cc: Alison Spindler-Ruiz
Subject: Re: proposed "Enhanced Density Bonus Ordinance" question

-EXTERNAL-

Thank you very much for this information.

If there is a list of interested people or parties to receive notifications about this as it progresses through the Planning Commission, please add me to it.

If i'm not mistaken, i believe this is a comment period for the Neg. Dec. My comment is that I do not believe development impact fees which go toward parks and recreation should be eliminated under any circumstances.

Is this the right time to make that comment from the record, or should i make it again at a later time, for example when the item is before the Planning Commission?

best,
Ian S. Patton

[REDACTED]
Cal Heights Consultancy
LBReformCoalition.org

On Thursday, May 6, 2021, 8:27:02 AM PDT, Cynthia de la Torre <cynthia.delatorre@longbeach.gov> wrote:

Hi Mr. Patton,

Thanks for your email. This proposed ordinance was taken to Planning Commission back in July as part of a housing ordinances study session. This ordinance proposal has yet to be agendized, but we are tentatively aiming to take it to Planning Commission for a public hearing in June. After which, it will need to go to City Council for review as well.

A Negative Declaration was prepared because this proposed ordinance is considered a project under the California Environmental Quality Act (CEQA). In accordance with CEQA, a public agency shall prepare a proposed negative declaration for a project subject to CEQA when the initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment. The initial study results are included as part of the Negative Declaration and can be reviewed on p. 5 of the [document](#). The proposed project involves amendments to the City's Municipal Code, and no development project is contemplated at this time.

We are also in the process of developing a FAQ for this project. Please check back on this page here for the FAQ and updates:
<http://www.longbeach.gov/lbds/planning/advance/studies/>

Best,

Cynthia de la Torre

Planner IV

Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau

411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802

Office: 562-570-6559



From: Ian Patton [REDACTED]
Sent: Wednesday, May 5, 2021 12:03 PM
To: Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Subject: proposed "Enhanced Density Bonus Ordinance" question

-EXTERNAL-

Hi Ms. De La Torre,

Can you direct me to the Council and/or Planning Commission agenda item where the proposed "Enhanced Density Bonus Ordinance" came up, or has this proposal yet to be agendized?

If so, what is the process that causes it to be put into the EIR/Negative Declaration consideration process?

best,

Ian S. Patton



Cal Heights Consultancy

LBReformCoalition.org

Cynthia de la Torre

From: Cynthia de la Torre
Sent: Wednesday, June 2, 2021 1:42 PM
To: Genise Homan
Subject: RE: Enhanced Density Bonus Ordinance - June 17 Planning Commission Hearing

Hi Genise,

Please let me know if you have any questions or would like to submit a public comment. Happy to schedule a call if that is helpful.

Thank you,

Cynthia de la Torre
Planner IV
Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6559



From: Genise Homan [REDACTED]
Sent: Wednesday, June 2, 2021 10:10 AM
To: Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Subject: Re: Enhanced Density Bonus Ordinance - June 17 Planning Commission Hearing

-EXTERNAL-

Thank you for the info, wish we could have gotten it earlier.
Sent from my iPhone

On Jun 2, 2021, at 9:36 AM, Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov> wrote:

You are receiving this email because you've been added to our interested parties list for this project. Please let me know if you wish to be removed from this list.

On June 17, 2021, the Planning Commission will consider recommending that the City Council accept Negative Declaration and approve amendments to several sections of the Long Beach

Municipal Code (LBMC) to facilitate the development of mixed income multi-family housing in exchange for the provision of on-site, deed-restricted affordable housing units as part of the Enhanced Density Bonus (EDB) ordinance. The proposed EDB would establish regulations to allow a “bonus” of increased density and development standard concessions in exchange for increased levels of affordable housing.

As proposed, the Enhanced Density Bonus would only apply to residential properties anywhere in the City on which five (5) or more housing units can be built, based on the zoning code and site size. For informational purposes, the maps linked on the City's [Special Studies & Reports](#) show where, based on zoning or the General Plan PlaceType, 5 or more dwelling units may be permitted and could, therefore, be eligible for the Enhanced Density Bonus. Please see the Special Studies & Reports page for FAQs on this ordinance and additional information.

The Negative Declaration is based on the finding that the project will not have significant adverse impacts to the environment. The Negative Declaration can be viewed on the City's [Environmental Reports](#). The 30-day public review period associated with the Negative Declaration ends on June 3, 2021. In accordance with the California Environmental Quality Act (CEQA) guidelines, any comments concerning the findings of the proposed Negative Declaration must be submitted in writing and received by the City no later than 4:30 p.m. on the closing date of the public review period as cited in the Notice of Intent, in order to be considered prior to the City's final determination on the project.

Should you decide to challenge either of these projects, you may be limited to the issues raised during this public review period. Please submit written comments to Cynthia de la Torre at Cynthia.DeLaTorre@LongBeach.gov.

Cynthia de la Torre

Planner IV

Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau

411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802

Office: 562-570-6559

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Cynthia de la Torre

From: Emma Roy [REDACTED]
Sent: Wednesday, June 2, 2021 9:43 AM
To: Cynthia de la Torre
Subject: Re: Enhanced Density Bonus Ordinance - June 17 Planning Commission Hearing

-EXTERNAL-

I strongly support this enhanced density bonus! Please do recommend it to Council.

Thank you for the work you are doing,
Emma

On Wed, Jun 2, 2021 at 9:36 AM Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov> wrote:

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On June 17, 2021, the Planning Commission will consider recommending that the City Council accept Negative Declaration and approve amendments to several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of mixed income multi-family housing in exchange for the provision of on-site, deed-restricted affordable housing units as part of the Enhanced Density Bonus (EDB) ordinance. The proposed EDB would establish regulations to allow a "bonus" of increased density and development standard concessions in exchange for increased levels of affordable housing.

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Cynthia de la Torre

Planner IV

Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau

411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802

Office: 562-570-6559



--

Emma Roy
she/her

Cynthia de la Torre

From: Dianne Sundstrom [REDACTED]
Sent: Thursday, June 3, 2021 3:02 PM
To: Cynthia de la Torre
Subject: Enhanced Density Bonus Ordinance Negative Declaration comments

Follow Up Flag: Follow up
Flag Status: Flagged

-EXTERNAL-

Dear Ms. de la Torre,

My name is Dianne Sundstrom and I live in the Belmont Heights area of Long Beach. Along with several other residents, I worked hard on the City's update to the General Plan - both the LUE and the UDE - and, while I understand the need for additional housing, I am not in support of many elements of this ordinance.

I am concerned that several elements of the proposed EDB ordinance will negate the decisions made to the LUE. One of my major concerns is the incentives relative to height.

According to my reading of this ordinance, it would allow for an additional 3 stories to buildings on the 4th St corridor from Redondo to Park. If that is the case, a building that is currently 2 stories, could be built up to 5 stories on a stretch of 4th street that backs up to R-1 zoning for much of the corridor. Further, between 4th & 7th and Roswell to Newport, is the Belmont Heights Historic District. Such height would have a negative impact on peripheral homes in that neighborhood.

I also question the City's identification of almost all of Belmont Heights as a "high quality transit" area. I support public transit but have found that Long Beach Transit is not an efficient way to navigate the City and points beyond. Traveling 5 miles from my home to Long Beach Memorial takes approximately an hour. Likewise, getting to the Blue Line Willow station is an hour with 2 transfers. Basing housing construction on that level of public transit service is not good policy.

Based on my above comments, I disagree with the following summary of the EDB ordinance:

"Overall, the Project does not introduce uses that are materially different from those otherwise permitted in the respective zoning districts; the Project would allow for mixed-use or wholly residential development projects in zoning districts that allow such uses. While the Project may change allowable density, intensity, or height on individual development sites, overall total development levels and numbers of housing units....."

Rather, this ordinance as written has the potential to significantly change the look and feel of our neighborhoods and have many negative impacts including air quality, aesthetics, land use planning, to name a few.

Regards,
Dianne Sundstrom
[REDACTED]

Cynthia de la Torre

From: diana lejins [REDACTED]
Sent: Thursday, June 3, 2021 4:31 PM
To: [REDACTED]
Cc: Cynthia de la Torre
Subject: Re: Fwd: Enhanced Density Bonus Ordinance - June 17 Planning Commission Hearing

-EXTERNAL-

Seriously.! This proposal will do more to destroy the neighborhoods of Long Beach than ever before. An Environmental Impact Report must be done.

Diana Lejins

[Sent from Yahoo Mail on Android](#)

On Thu, Jun 3, 2021 at 11:17 AM, [REDACTED]

[REDACTED] wrote:

Comments on the Neg Dec end today, June 3. Speak now or forever hold your peace!
~~Fly

-----Original Message-----

From: Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Sent: Wed, Jun 2, 2021 12:15 pm
Subject: Enhanced Density Bonus Ordinance - June 17 Planning Commission Hearing

You are receiving this email because you've been added to our interested parties list for this project. Please let me know if you wish to be removed from this list.

On June 17, 2021, the Planning Commission will consider recommending that the City Council accept Negative Declaration and approve amendments to several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of mixed income multi-family housing in exchange for the provision of on-site, deed-restricted affordable housing units as part of the Enhanced Density Bonus (EDB) ordinance. The proposed EDB would establish regulations to allow a "bonus" of increased density and development standard concessions in exchange for increased levels of affordable housing.

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Cynthia de la Torre

Planner IV

Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau

411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802

Office: 562-570-6559





June 10, 2021

Long Beach Planning Commission
411 W Ocean Blvd, Long Beach, CA 90802 (*sent via email*)

RE: Enhanced Density Bonus Ordinance

Chair and Members of the Planning Commission,

We appreciate your consideration of the Enhanced Density Bonus (EDB) Ordinance, and thank staff for their work on this to date. The City of Long Beach is urgently in need of more housing that is within an affordable price range for current and aspiring Long Beach residents. We at Burnham Planning & Development support this policy tool to assist in the production of affordable housing citywide.

We believe that the housing shortage, and in particular the shortage of affordable housing, is a Citywide issue. The EDB Ordinance will provide the appropriate incentives to allow for more housing production outside of the Downtown and Midtown areas. Providing affordable housing opportunities throughout the City is an important component of creating a more equitable City.

In addition, the EDB Ordinance will encourage development in transit rich neighborhoods, which will assist in reducing automobile dependency and encourage development in areas with existing nearby amenities, which supports the City's mobility, climate action/adaptation, and racial equity and reconciliation goals. Similar policies adopted in other jurisdictions have proven successful in facilitating the development of affordable housing.

In closing, we believe the sunset clause in the ordinance provides a level of certainty to the community with respect to the extent of expected development, as the sunset clause ensures that any development occurring as a result of the EDB Ordinance will be within the assumptions contained in the Land Use Element adopted in 2019. We appreciate the opportunity to comment on the ordinance, and we are hopeful you will recommend this to the City Council for approval. Thank you for your consideration.

Sincerely ,

Derek Burnham
Principal

Ford Do
Vice President

Date: June 1, 2021

From: Corliss Lee, President Eastside Voice [REDACTED]

Regarding: Project Title- City of Long Beach Enhanced Density Bonus Ordinance Initial Study

TO: Cynthia de la Torre, Patricia Diefenderfer

COMMENTS:

This is the most fictitious document I have ever seen come out of our Planning Dept. How can increasing density up to 5 units on a lot ***not impact***:

- Aesthetics,
- Air Quality,
- Energy,
- Greenhouse Gas Emissions,
- Land-Use/planning,
- Noise,
- Population/Housing,
- Public Services,
- Recreation,
- Transportation,
- or Utilities?

Yet every one of these is checked as No Impact or Less than Significant Impact. As no studies were referenced, I have to assume none were done. The planner's statement that there are no impacts is not credible without reference to solid evidence.

The need for affordable housing is acknowledged. It is real and we need to pursue it. However, the methods suggested for achieving it (increasing density bonus beyond the 80% already offered in State Law) have negative impacts on the surrounding community that are just not worth it.

The known outcome of such development is that it produces problems with traffic, parking, crime, increased garbage, noise, overloaded utilities and so on. Infrastructure in our city is not set up to handle high density.

The up-zoning that took place in the late 1980s gave us a taste of the destruction that goes with high density. The Press Telegram devoted an [entire edition](#) in the early 1990s to explaining the problems created by the "crackerboxes." We still live with the outcome of that failed experiment. We have evidence of negative outcomes to high density with our experience in up-zoning with no controls to evaluate particular projects. If we fail to heed the lessons of the past, we are doomed to repeat them.

Debacles in offering multi-story high density housing are evident in surrounding cities as well. You have only to look at recent history to discover the destruction of neighborhoods. The film "[Who approved that?](#)" is worth watching. Our neighboring city of Westchester took on just such a project. The outcome speaks for itself.

<https://www.youtube.com/watch?v=zhkiSwQApk&feature=youtu.be>

We already have laws in place to offer significant density bonuses. The State passed the **Density Bonus Law** in 1979 California Government Code Section **65915** and updated it in 2019 Assembly Bill (**AB**) **1763** (Chiu). Ref: [showdocument \(novato.org\)](#) 65915 had a maximum density bonus of 35% while AB1763 went so far as 80%. In spite of "sweetening the pot" with density bonuses for developers that build affordable housing, there are relatively few that choose to build it. It's a headache. They can make more money with less trouble by building market rate housing.

If AB1763 with an 80% density bonus isn't enough, Long Beach will increase that? If the Land Use Element shows 3 stories, a developer can build 6 (without parking)? But what if an innocent resident lives on that street?

This ND for density bonus is a bad idea gone wrong. *We should be building affordable housing across our city, but **not high density** affordable housing.*

The proposed Municipal Code Amendments would cover **all zoning districts, Specific Plan areas, and all Planned Development districts that allow residential uses in the City of Long Beach**. A project of this size, which can affect nearly every neighborhood in the City, deserves an Environmental Impact Report, not a Negative Declaration.

Respectfully,

Corliss Lee
President, Eastside Voice



Cynthia de la Torre

From: Cynthia de la Torre
Sent: Thursday, June 3, 2021 1:44 PM
To: Mail closure team
Subject: RE: I object

Hi Cathy,

Thank you for your comment. It will be forwarded to decision-makers.

Best,

Cynthia de la Torre
Planner IV
Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6559

-----Original Message-----

From: Mail closure team [REDACTED]
Sent: Thursday, June 3, 2021 1:43 PM
To: Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Subject: I object

-EXTERNAL-

Hi,
How can our city think this is okay.
The city of Long Beach doesn't currently have the infrastructure to support these amendments. Nor do we have the parking to support this idea.
Please note that I object to the amendments.
Thank you,
Cathy Black

Cynthia de la Torre

From: Cynthia de la Torre
Sent: Thursday, June 3, 2021 12:47 PM
To: 'Anne Proffit'
Cc: Alison Spindler-Ruiz
Subject: RE: Neg Dec in the municipal code

Hello Ms. Proffit,

Thank you for comment; it will be forwarded to decision-makers.

A 30-days' notice, which began on May 3rd, was given for the environmental document (the "Negative Declaration") produced in accordance with the California Environmental Quality Act (CEQA) for the ordinance. That notice was given to those on the interested parties list for the ordinance and CEQA.

There is also a 14-day public comment period on the ordinance in advance of both Planning Commission and City Council hearings required for the ordinance. The Link LB Blast was sent prior to the start of the 14-day public comment period for the June 17 Planning Commission hearing, which begins today. Public comment is still accepted on this project up until and at both Planning Commission and City Council hearings.

Thank you,

Cynthia de la Torre
Planner IV
Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6559

-----Original Message-----

From: Anne Proffit [REDACTED]
Sent: Thursday, June 3, 2021 11:31 AM
To: Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Subject: Neg Dec in the municipal code

-EXTERNAL-

Ms DeLaTorre:

It appears the city of Long Beach is continuing its efforts to permanently silence any comments concerning development within the city.

That is against all tenets of our republic - and everything for which it stands - and is fascist in nature.

Long Beach has, since the current regime came into play, done everything it can to quell the desires of the public, relying on developers to make suitable decisions for the city. The number of outside consultants - most of whom are OWNED by developers - is more than disconcerting.

It would be wise for the city to use the biggest assets it has - its citizens - to decide what works and doesn't in their neighborhoods. The "planning department" is too much owned by said developers and by the unions shoveling money their direction, to make suitable decisions.

Decisions affecting the public need to have their input. Turn your back on us and we will sink you, just like the damn Queen Mary you've ignored until her hull is no longer viable. Pretty soon the city will resemble her and YOU WILL BE HELD RESPONSIBLE.

Anne Proffit

East Village Arts District - which is quickly turning into a very tacky-tacky-town.



Cynthia de la Torre

From: [REDACTED]
Sent: Thursday, June 3, 2021 3:26 PM
To: Cynthia de la Torre; Council District 1; Council District 2; Council District 3; Council District 4; Council District 5; Council District 6; Council District 7; Council District 8; Council District 9; Mayor
Subject: Enhanced Density Bonus Ordinance ND Comments

-EXTERNAL-

On Wed. June 2, 2021, I received the following e-mail from Cynthia DeLatorre:

*On June 17, 2021, the Planning Commission will consider recommending that the City Council **accept Negative Declaration** and approve amendments to several sections of the Long Beach Municipal Code (LBMC) to facilitate the development of mixed income multi-family housing in exchange for the provision of on-site, deed-restricted affordable housing units as part of the Enhanced Density Bonus (EDB) ordinance. The proposed EDB would establish regulations to allow a "bonus" of increased density and development standard concessions in exchange for increased levels of affordable housing.*

I question placing recommendation of the Negative Declaration on the Planning Commission agenda before the deadline for comments on this document, much less time to read them, has passed. Please postpone this going to the Planning Commission until more public input is received.

Below are comments from Citizens About Responsible Planning/CARP

Enhanced Density Bonus Ordinance Negative Declaration Comments

This Enhanced Density Bonus Ordinance is based on information from the 2010 Census. Population numbers have changed with the 2020 Census. A new plan needs to be done which uses current population numbers.

The proposed Municipal Code Amendments would cover **all zoning districts, Specific Plan areas, and all Planned Development districts that allow residential uses in the City of Long Beach**. A project of this size, which can affect nearly every neighborhood in the City, deserves an Environmental Impact Report, not a Negative Declaration.

This Negative Declaration is the most inadequate we have ever seen. How can increasing density up to 5 units on a lot not impact Aesthetics, Air Quality, Energy, Greenhouse Gas Emissions, Land-Use/planning, Noise, Population/Housing, Public Services, Recreation, Transportation, or Utilities? Yet every one of these is checked as No Impact or Less than Significant Impact. There have been no studies done to determine if there will be impacts or not, just the planner's statement that there are none.

For example, in discussing Air Quality, it is stated: "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." Then, with no proof, it is stated that there will be no impact on Air Quality with these allowed 5 units on a single lot. The construction activity alone can pollute the air, not to mention the new residents driving around looking in vain for parking. Just by

living near a bus stop or having the ability to ride a bike does not guarantee that the residents will give up their cars.

As CARP member, Melinda Cotton points out, "If COVID taught us anything, it's that every household needs a car:

to get COVID testing, to be in line at a Food Bank, to pick up food and necessities at "curb service"; to get a COVID vaccination, to get yourself to work because public transit is either not running or changed schedules, or too scary because of proximity to COVID infected passengers.

Also - Electric Cars require a place to park at home to connect to a charger. Eliminating garages and required apartment/condo/home parking spaces means fewer people will buy Electric Cars because they have no place overnight to park and charge them."

Added people mean there will be a need for more Public Services, Recreation, Water and other Utilities, yet this Negative Declaration states there will be No Impact.

CARP urges that the City do an adequate CEQA document for this very important change to Zoning for every district.

Ann Cantrell, for
Citizens About Responsible Planning/CARP

Please send acknowledgement of receipt

Cynthia de la Torre

From: Allen Arslanian [REDACTED]@com>
Sent: Monday, May 3, 2021 10:48 AM
To: Cynthia de la Torre
Subject: Re: Enhanced Density Bonus Ordinance - Negative Declaration Public Review

-EXTERNAL-

Hi Cynthia,

This is great and difficult work you are doing for the city, in order to get more affordable housing to lower income families; thank you for all of your hard work.

The issue I see is the lack of dedicated parking for these units. I understand that the requirements are put into place to transition people into using more public transportation and that's great, but people still have and require cars in and around Long Beach and Southern California, and 1.25 parking spaces for a 3 bedroom, along with the 2 and 1 bedroom parking requirements aren't practical and puts more of a stress on the surrounding neighborhoods who already have issues with parking availability.

I appreciate you looking into this.

Thank You,
Allen Arslanian

On May 3, 2021, at 10:21 AM, Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov> wrote:

Hello,

You are receiving this email because you have expressed an interest in the proposed Enhanced Density Bonus ordinance and/or have expressed interest in housing related policies through your participation in the Housing Element Update (HEU) process.

Please see the Notice of Intent to Adopt a Negative Declaration, the Negative Declaration environmental document, the major concepts ordinance framework and related maps produced for the Enhanced Density Bonus Ordinance on our environmental reports page here:

<http://longbeach.gov/lbds/planning/environmental/reports/>.

Today marks the beginning of the 30-day public review period associated with the Negative Declaration. The 30-day public comment period ends on June 2, 2021. In accordance with the California Environmental Quality Act (CEQA) Guidelines, any comments concerning the findings of the proposed Negative Declaration must be submitted in writing and received by the City no later than 4:30 p.m. on the closing date of the public review period, as cited in the Notice of Intent, in order to be considered prior to the City's final determination on the project. Should you decide to challenge this project, you may be limited to the issues raised during this public review period. Please submit your written comments to me.

Melinda Cotton
[REDACTED]
Long Beach, CA 90803
[REDACTED]
June 15, 2021

Long Beach Planning Commission
411 W. Ocean Blvd., 3rd Floor
Long Beach, CA 90802

Re: Item 4. 21-041PL "Enhanced Density Bonus" Planning Commission, June 17, 2021

The Housing Crisis, which the Enhanced Density Bonus claims to address, totally ignores the many other Crises and critical needs our City and Area face, more housing increases population and density which increases the danger of other Crises and Critical Problems:

Packing more human beings into an already dense, crowded urban area ignores the Climate Change Crisis, the current Drought and statewide water shortage Crisis, the Air Quality Crisis, the need for trees and green space to create oxygen and clean our air, the Crisis of our heavily congested Freeways (we're the fifth most congested area in the nation with two of the Worst Traffic Corridors in the country – the Harbor and Hollywood Freeways).

Claiming that people living in these additional housing units will and are able to take public transit is folly – If Covid19 taught us anything, it's that nearly every household needs (or feels the need for) an automobile - to get to work safely and on time; to obtain COVID tests, to drive to and wait in line at Food Banks, to drive to and wait in line for vaccinations. Parking in our crowded urban and suburban areas is already chancy and difficult. Bicycling along 1st street earlier this week, on street sweeping day, my husband and I saw the middle of the street lined with parked cars at 10:30 am, waiting for the passage of the street sweeper to park – and the sweeper's cleaning window lasted until 12 noon. Eliminating garages and onsite home and apartment parking is foolhardy and unrealistic. Parking conflicts are already a big problem.

And Electric Vehicles are touted as helping save us from more Climate Change, but households need a garage or dedicated overnight on-site parking space to connect and charge those Electric Cars...yet these EDB's, SB9 and 10, and ADU's are being allowed and encouraged with no dedicated parking, and even displacing existing garages and parking spaces. This makes no sense.

Public transit is not robust enough to serve the public, and has been decimated by Covid 19; ridership has fallen drastically, bus schedules canceled or radically limited. Bicycles and scooters are only useful for the young and physically able, the average person needs a way to safely get to school and to their jobs, to carry groceries and work whatever schedule is required by their employer – two-wheel vehicles are not the answer.

The Planning Commission should reconsider this approach and vote down the Enhanced Density Bonus, Negative Dec, and other changes before you, they benefit Developers but not the homeless and working poor who truly need our help.

Sincerely,


Melinda Cotton
38-year Long Beach resident

Heather Flores

From: Cynthia de la Torre
Sent: Thursday, June 17, 2021 10:15 AM
To: Heather Flores
Cc: Patricia Diefenderfer; Alison Spindler-Ruiz
Subject: FW: PC Letter

Hi Heather,

Could you please forward this comment to the Commissioners?

Thank you,

Cynthia de la Torre
Planner IV
Pronouns: She, Her, Hers, Ella

Long Beach Development Services | Planning Bureau
411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562-570-6559



From: Lynette Ferenczy [REDACTED]
Sent: Thursday, June 17, 2021 9:47 AM
To: PlanningCommissioners <PlanningCommissioners@longbeach.gov>; Cynthia de la Torre <Cynthia.DeLaTorre@longbeach.gov>
Cc: Suely Saro <Suely.Saro@longbeach.gov>
Subject: Fwd: PC Letter

-EXTERNAL-

June 17, 2021

Planning Commission

Re: Enhanced Density Bonus

I am opposed to the proposed changes regarding the enhanced bonus density (EBD) as the increased density is concentrated in already over crowded areas of the City in central and downtown Long Beach. There are almost no opportunities for additional density on the eastside in CD #5. The central area of Long Beach which has seen hundreds of units approved in the past five years will have the majority of new units based on the recently approved LUE which zoned most of the east side for single family homes. The additional density increases crime, traffic, reduces air quality, creates overcrowding, and places a further demand on open space and recreational opportunities.

The central area of the city is in a parking impacted area, has a large deficit of open space, and harmful air quality. The new changes allow for up to three extra stories and the waiving or large reduction of most development standards such as parking, FAR, open space, setbacks, and height. There is also no public input. With the exception of off-menu items most of these EBD projects will be approved without public comment or input.

In addition, park fees and transportation fees will be exemption for these projects. The central and westside have a huge shortage of open space and these fees will not be required. How will park space be provided as the demand grows and the City refuses to obtain any new park space for all the units being built and proposed?

Please deny this code amendment and at a minimum require projects with enhanced bonus density to obtain a CUP with a noticed public hearing.

Thank you
Lynette Ferenczy

Lynette Ferenczy


June 17, 2021

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Recommend that the City Council accept Negative Declaration ND08-20;
and

Recommend that the City Council adopt Zoning Code Amendment ZCA20-017, consisting of changes to the Long Beach Municipal Code (LBMC) that would amend sections 21.25.506 (Findings Required), Chapters 18.15, 18.16, 18.17, and 18.18 related to impact fee waivers for affordable units in mixed-income buildings, and add a new chapter (Chapter 21.68) related to the following: establishing an Enhanced Density Bonus Ordinance to facilitate the development of mixed income, multifamily housing by establishing regulations that offer a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income housing units.

APPLICANT: City of Long Beach, Development Services Department
411 West Ocean Boulevard, 3rd Floor
Long Beach, CA 90802
(Application No. 2012-25)

BACKGROUND

The State of California has identified and acknowledged a need for affordable housing. In order to address this need for affordable housing, the State has adopted various programs and incentives to facilitate and expedite the construction of affordable housing, including the Density Bonus Law (Govt. Code Section 65915). The Density Bonus Law was originally enacted in 1979 to help address the affordable housing shortage and to encourage development of more low- and moderate-income housing units. Over 40 years later, the City, region and State face even greater affordable housing challenges.

Density bonus is a regulatory tool to encourage the production of affordable housing. In exchange for inclusion of affordable units in a development, project applicants are given an increase in density over density permitted by the City's zoning regulations, as well as



development standard concessions and incentives. The granting of density bonuses and concessions and incentives are intended to allow more total units to be built on a site so that the greater number of market-rate units in a project can help financially offset the costs of building a percentage of affordable units in market-rate development. The City adopted the State density law in 1988, with a most recent local update in 2006, to provide density bonuses consistent with the State Density Bonus statute for projects that include lower income rental units, moderate income condominium (for sale) units, and housing for seniors and persons with disabilities.

Over the past few years, the City Council has adopted policy direction related to facilitating the production of affordable housing units in response to the well-documented housing shortage in Long Beach, across the region and state. In May 2017, the City Council adopted 29 policy recommendations¹ to support the production of affordable and workforce housing. Policy 1.4 directs Staff to promote the City's Density Bonus Program to all multifamily housing developers. In December 2018, the City Council received and filed the Everyone Home Long Beach² report. Recommendation 2e calls for expanding the number of rent-stabilized units through options such as production, policy and preservation.

The State Density Bonus has only been used a few times in the past two decades and has proven to be ineffective in generating affordable housing as a component of market-rate development. Based on analysis of past development proposals, developer feedback, and "ground truthing" exercises to estimate how various development scenarios could play out on different types of sites, Staff has concluded that the State Density Bonus has not been well utilized because it does not provide sufficient density bonuses, incentives and concessions to make it financially feasible in most cases to include affordable housing in new market-rate development. This condition is due to a combination of regulatory constraints as well as physical site and financial constraints.

In particular, the City's restrictive zoning regulations have proven to be a significant factor in inhibiting new housing development in most areas of the City. Recent studies confirm that substantially greater density bonuses and incentives, such as those contemplated in the proposed ordinance, are necessary to encourage both market-rate and affordable housing production. The proposed ordinance is complementary legislation designed as a counterpart to the City's recent adoption of the Inclusionary Housing Policy. The Inclusionary Housing Policy requires a percentage of affordable units in all new housing developments but is limited to projects in Downtown and Midtown (Inclusionary Housing Policy Subarea 1). Market studies conducted to inform the development of a citywide inclusionary housing policy concluded that mandatory inclusionary housing requirements could not be supported by development in other parts of the City (Inclusionary Housing Policy Subarea 2) due in part to the restrictive development regulations. The proposed Enhanced Density Bonus ordinance addresses this gap and provides a more viable,

¹ <https://www.longbeach.gov/globalassets/lbds/media-library/documents/news/2017/17-0509-final-v5-report-revenue-tools-and-incentives-for-affordable-housing>

² <https://www.longbeach.gov/globalassets/everyone-home-lb/media-library/documents/news/everyone-home-lb-task-force--recommendations-sm-file>

voluntary inclusionary housing option by establishing greater bonuses and incentives than State Density Bonus regulations. This approach will encourage mixed-income projects outside of Downtown and Midtown, areas which have not seen new residential development in recent decades due in part to the restrictive zoning. Once the viability and frequency of development in these areas outside of downtown has improved, the City may revisit the Inclusionary Housing Policy to expand the mandatory program Citywide.

The proposed ordinance will make more feasible mixed use, mixed income, multifamily development along many of the City's major corridors, consistent with the 2019 General Plan Land Use Element (GPLUE) Update, which planned for and contemplates mixed use development on many of the City's underused/single use corridors. The adopted GPLUE anticipated accommodating much of the City's anticipated growth and housing need on these transit-served corridors. As required by State law, the City is currently undertaking a multiyear phased geographic rezoning program to bring the City's zoning into conformance with the 2019 adopted General Plan. The proposed ordinance is necessary to facilitate production of market-rate and affordable housing both during this interim period, while the rezoning is occurring, as well as during the timeframe of the upcoming Housing Element cycle, in order to accommodate the City's share of regional housing need for the coming decade (see more background on the Housing Element Update below).

DISCUSSION

The proposed Enhanced Density Bonus (EDB) involves amendments to the City's Municipal Code, primarily to Title 21 (Zoning Ordinance) to establish regulations to allow a "bonus" of increased density, development standard concessions, and other incentives in exchange for increased levels of affordable housing and other desired services such as on-site childcare, in order to facilitate the development of mixed-income, multifamily housing Citywide, with increased density bonuses and incentives focused in high quality transit areas (Attachment A – Draft Ordinance). The ordinance would apply Citywide and is called an "enhanced" density bonus because it would allow bonuses in excess of those permitted by the State Density Bonus Law.

The proposed EDB not only helps implement policy direction of both the Mayor's Affordable & Workforce Housing Taskforce as well as the Everyone Home plan and paves the way for a Citywide expansion of inclusionary housing requirements in the future, as discussed above, but is also an early implementing action of the 2021 Housing Element Update. The City is currently updating the Housing Element of the General Plan (the 6th Cycle of the Housing Element for 2021-2029), as required by State law. The Housing Element provides the City with a roadmap for accommodating the projected number of housing units needed to house existing and future City residents and guides future decisions that impact housing.

By way of context for the proposed ordinance, housing need in the region and the City has continued to increase and housing availability and affordability continues to be a matter of local, regional and statewide concern. Consequently, the State mandates that each city accommodate its share of the region's housing needs as established by the

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Regional Housing Needs Assessment (RHNA), which is set by the California Department of Housing and Community Development (HCD). The City is located in the Southern California Association of Governments (SCAG) region, which has a region-wide RHNA allocation of 1.34 million housing units for the Housing Element cycle from 2021 to 2029; through the state-mandated allocation process, the City's 6th Cycle Housing Element RHNA allocation is 26,502 units.

The RHNA allocation is broken down into four income levels - very low, low, moderate, and above moderate. Each jurisdiction must demonstrate in its Housing Element that, through its land use policies and zoning capacity, it can accommodate its total RHNA number as well as the allocation by income level. Of the City's 26,502-unit RHNA allocation, 15,346 or 58% of the units are required to be affordable in one of the three affordability categories. By comparison, the City's 5th Cycle RHNA allocation for the 2013-2021 Housing Element was 7,048 units and included 4,009 affordable units across the very low, low, and moderate-income categories. Through 2020, with only one year left in the cycle, Long Beach has only issued building permits for 17% of its affordable housing unit RHNA target. In the 6th cycle update, unlike past years, the City has to provide a more detailed roadmap of how the Housing Element will meet its RHNA allocation by income level, and there are a growing number of state laws that create penalties for lack of compliance.

The proposed EDB ordinance is intended to help address the current housing crisis and assist the City in its efforts to meet a projected housing demand of 26,502 units, 15,346 of which are required to be affordable, through 2029 (as required by the State in the upcoming Housing Element cycle). As proposed, the EDB would sunset, unless readopted by the City Council, either when the City meets its RHNA allocation or in 2030, whichever comes first.

Regulatory Framework. As outlined in Attachment A, the proposed project involves amendments to the Long Beach Municipal Code (LBMC), primarily to Title 21 (Zoning Ordinance) to establish regulations to allow for increased density bonuses in excess of those permitted by the State Density Bonus Law, as well as development concessions, in exchange for increased levels of affordable housing, in order to facilitate the development of mixed-income, multifamily housing Citywide, with the greatest density bonuses and incentives focused in high quality transit areas.

Specifically, the proposed EDB ordinance outlines the following:

Eligible Parcels. As proposed, the EDB ordinance would apply to properties anywhere in the City that allow residential uses and where five (5) or more housing units could be built without a bonus, based on the allowable densities and site size. Staff produced maps (Attachment B – Eligibility Maps) for informational purposes to generally show where, based on zoning or the General Plan PlaceType, five or more dwelling units may be permitted and could therefore be eligible for the Enhanced Density Bonus. .

Geographic Tiers and Total Density Bonus. The eligible density bonus that can be attained for a development project is based on the level of affordability proposed in the

project and the location of the project. Bonuses are tiered based on the three geographic areas in the ordinance--the Base Area, and two types of Transit Priority Areas defined by state law, which are High Quality Transit Corridors (HQTC), and Major Transit Stops.

State Law defines a Major Transit Stop as a site containing any of the following: an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This definition also includes planned major transit stops that are included in the applicable regional transportation plan³. HQTCs are defined by State Law as a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours⁴. Both Major Transit Stops and HQTCs constitute high quality transit. Due to the proximity to high quality transit, California Environmental Quality Act (CEQA) Guidelines state that “generally, [land use] projects within one- half mile of either an existing major transit stop, or an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact.”

The EDB ordinance intentionally directs the greatest density bonuses for infill sites in these Transit Priority Areas in order to incentivize the greatest amount of housing development near high quality transit. The amount of density bonus a project could be eligible for depends on its location and proximity to transit, with greater bonuses directed to infill sites in Transit Priority Areas (Major Transit Stop and High Quality Transit Corridor areas) to incentivize the greatest amount of housing development near high quality transit, consistent with sustainable development strategies laid out in the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and State law that aim to reduce Greenhouse Gas Emissions (GHG) by reducing Vehicle Miles Traveled (VMT). For example, in the Base Area (areas in the City that do not meet the definition of Transit Priority Area), the maximum density bonus across all income categories is 70%. Along High-Quality Transit Corridors (HQTCs), the maximum density bonus is 90%, and in Major Transit Stop areas, the maximum density bonus is 100% as shown on Transit Priority Map (Attachment C – Transit Priority Map), which maps the various Transit Priority Areas in the City.

Concessions. Concessions offer relief from certain development standards that could otherwise preclude the construction of a mixed-income multifamily housing project or make it cost-prohibitive to provide affordable units in a development project. In the EDB ordinance, the number of concessions a project could seek is based on the percent density bonus a project qualifies for, which is tied to the amount and type of affordable units proposed for a project. On-menu concessions or incentives (referred to generally as concessions) are provided “by-right” based on the eligibility described above, while off-menu concessions would require review by the Planning Commission to determine whether the concession is physically necessary in order for the project to provide the proposed affordable units.

³ California Public Resources Code (PRC) § 21064.3 and § 21155(b)

⁴ PRC § 21155

On-menu concessions include Floor Area Ratio (FAR) increases, reductions in non-residential parking, open space, transitional height, and individual setback requirements. On-menu concessions also include height concessions that would allow an additional story of height per incentive and a maximum two-story increase in the Base Area, and three stories in Major Transit Stop and HQTIC areas. Height increases would be subject to transitional height requirements, as applicable (see below), and each additional story would count as its own incentive. Off-menu incentives potentially include relief from other Zoning Code requirements not included on the “on-menu” list that an applicant demonstrates are needed to provide the affordable units. Off-menu incentives can for example include additional requests for additional stories beyond those offered through the “on-menu” list. Applicants may only request off-menu concessions if they are providing at least enough affordable housing to be eligible for a 40% density bonus (which as an example in the base area would require 8% very low income units or 12% low income units). Each off-menu incentive would count double toward the maximum number of concessions allowed, meaning if one off-menu concession was granted, it would count as two concessions toward the maximum number of concessions allowed. All off-menu concessions would require approval by the Planning Commission and could only be approved upon the determination of the physical necessity of the incentive in order to provide the affordable units.

Number of Concessions. The maximum number of concessions an EDB project may be eligible for is nine (9) concessions.

Concessions for Projects Subject to Inclusionary Housing Requirements. Adopted by City Council on February 2, 2021, the Inclusionary Housing Ordinance LBMC Section 21.67) generally requires that residential development projects that are located in the Midtown or Downtown areas of the City and that propose ten or more dwelling units include a percentage of the total dwelling units as on-site affordable units. The newly required affordable percentage is phased and increases by year and begins with a 4 percent moderate-income requirement for for-sale residential projects and a 5 percent very-low income requirement for rental residential projects. Projects that are subject to the Inclusionary Housing Ordinance may also take advantage of the density bonuses, incentives and concessions but are eligible for fewer concessions, with a maximum number of six concessions based on the total percent density bonus a project qualifies for.

Transitional Height Requirements. Height incentives for EDB projects are also subject to transitional height requirements to ensure context sensitivity and to minimize, to the extent feasible, impacts on adjacent properties. The proposed ordinance requires projects with height increases that share a lot line with or are across an alley from an R1 or R2 zone that is occupied by a single-family home or duplex, to step-back any height increase over 12 feet at least ten feet from the exterior face of the ground floor of the building face.

Special Bonuses and Concessions for Large Units and Childcare Facilities. The lack of sufficient larger housing units to meet existing demand for Long Beach households

and families is well documented through the Housing Element. Additionally, there is a lack of sufficient access to childcare facilities in the City. Therefore, projects that provide on-site childcare facilities could have that portion of the project exempted from Floor Area Ratio (FAR) and parking requirements and are eligible for an additional incentive. Projects with the following percentage of large/family units, including some affordable units, are eligible for up to an additional 20% in density bonuses beyond what is already provided; however, the bonus can never exceed 100%.

- More than 25% 2-bedroom units of 970 square feet (SF) or larger
- More than 5 percent 3-bedroom units of 1140 SF or larger

Parking Requirements. *Parking* – EDB projects are eligible for parking reductions and may avail themselves of either the reductions offered by the State regulations or the parking reductions offered through the proposed ordinance. Per the ordinance, projects may use either of the reductions, whichever results in the lower parking requirements. The proposed ordinance would allow parking reductions found in the following table:

0-1 Bedrooms	0.75 space/unit
2 Bedrooms	1.00 space/unit
3 Bedrooms	1.25 space/unit
Guest Parking	1 space / 8 units
Commercial Parking	First 6,000 square feet exempt; zoning code parking requirements apply beyond 6,000 square feet

The parking requirements established by the State Density Bonus law can be found in the table below and are inclusive of parking for persons with a disability and guest parking and are provided in the table below:

0-1 Bedrooms	1 space/unit
2-3 Bedrooms	1.5 spaces/unit
4 and more Bedrooms	2.5 spaces/unit

The above parking ratios reflect the changes made to the State Density Bonus statute by Assembly Bill 2345 (AB 2345), effective as of January 1, 2021. As noted in the table, it further reduced the parking rate requirement to 1.5 onsite parking space for 2- to 3-bedroom units. The latest state law also grants additional parking reductions to certain eligible projects that also provide unobstructed access to a major transit stop.

AB 2345 relieves developers entirely from onsite parking requirements for a) housing development projects where 100% of the units are rental units that are affordable to lower income families and are located within one-half mile from an accessible major transit stop with unobstructed access to the major stop; and b) senior housing projects, comprised of 100% affordable rental units, that have either paratransit service or unobstructed access, within one-half mile, to a fixed bus route service that operates at least eight times per day. Additionally, the parking required for projects with at least 11% very low-income or at least

20% low-income units and which are located within one-half mile to a major transit stop with unobstructed access to the major transit stop, is 0.5 parking space per unit, inclusive of parking for persons with a disability and guests. Therefore, per State law, projects in the Major Transit Stop Transit Priority Area (within one-half of a Major Transit Stop) that provide at least 11% very low-income or at least 20% low-income units are only required to provide 0.5 parking spaces per unit.

Similarly, per the proposed ordinance, EDB projects comprised of 100% affordable units shall not be required to provide on-site parking.

Review Process and Affordability Restriction. All EDB projects will be required to go through Site Plan Review, which will allow the City to review the projects for compliance with objective design and development standards aimed at addressing project compatibility with surrounding development, to the extent feasible. Projects with requests for off-menu incentives will require a Site Plan Review by the Planning Commission.

Administrative Provisions. An EDB project's very low, low, and moderate affordable units would be eligible for waivers from specified development fees, such as parks and recreation and transportation development fees. The EDB ordinance includes a sunset clause that would sunset the ordinance either on October 1, 2030, unless extended by City Council, or if the City fulfills its 6th Cycle RHNA requirements for very low-, low-, and moderate-income units. Lastly, an applicant may request to use the EDB ordinance, as applicable, or the State Density Bonus Law but may not utilize both programs.

As part of this Zoning Code Amendment, additional findings will be added to LBMC 21.25.506 (Findings Required) no-net-loss, consistent with LBMC Chapter 21.11 and recent State legislation to ensure that the construction of any housing development project does not result in a net loss of affordable residential housing units in the City.

No-Net-Loss Requirements for EDB Projects. Based on recent City Council direction and community input, the draft ordinance is designed to maximize the preservation and replacement of existing affordable units to the maximum extent feasible. EDB projects will be subject to no-net-loss provisions that exceed those currently required by State law and LBMC Chapter 21.11 (No-Net-Loss) adopted by City Council earlier this year. As proposed, it includes requirements for replacement of existing affordable units, in addition to the affordable housing units required to receive the Density Bonus. The number and affordability levels of the replacement units required shall be determined based on the number of units on the site that are affordable to lower-income households, regardless of whether or not the household occupying the unit was lower-income. The policy goal is to stabilize the amount of 'naturally occurring' affordable housing regardless of the incomes of the households who resided within them. This ensures that all EDB projects would result in a net increase in units with affordable rents.

Consistency with State and Local Policies. Since the proposed action involves an amendment to the City's Zoning Ordinance, the Planning Commission must review and act upon this matter. The Planning Commission's role is to make a recommendation to the City Council consistent with adopted policies and plans (Attachment D – Findings).

The proposed EDB ordinance would help implement the City's General Plan goals for accommodating a range of housing units Citywide, including affordable housing, with a focus on locating housing near transit. It further supports State policy direction by including provisions intended to promote affordable housing in Long Beach.

The EDB ordinance is also consistent with the following General Plan policies:

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

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

Mobility Element policies:

- MOP Policy 1-17: Develop land use policies that focus development potential in locations best served by transit.

Lastly, in addition to being an early implementing action of the Housing Element Update that is now underway, the EDB ordinance is both consistent with and also implements the following policies set forth in the City's current 2013-2021 Housing Element:

- Policy 2.1 Continue to implement the City's density bonus program to provide incentives for housing that is accessible and affordable to lower income households, seniors, and disabled persons (including persons with developmental disabilities);
- Policy 3.10 Support programs and projects which link affordable housing with other community development goals and resources;
- Policy 4.2, which encourages a balance of rental and homeownership opportunities, including high quality apartments, townhomes, condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community;

- Policy 4.5 Encourage residential development along transit corridors, in the downtown and close to employment, transportation and activity centers; and encourage infill and mixed-use developments in designated districts; and,
- Policy 5.2 Offer financial and/or regulatory incentives, such as density bonuses and fee reductions/waivers, where feasible, to offset or reduce the costs of developing affordable housing.

Summary July 16, 2020 Study Session – Planning Commission. The EDB ordinance was presented at a Planning Commission study session on July 16, 2020, as part of a suite of housing ordinances that would serve as early implementation measures of the Housing Element Update. The Planning Commission discussed the following:

- EDB is complementary to the Inclusionary Housing Policy (IHP); it is a key piece of it especially in subarea 2 (areas outside of Downtown and Midtown where IHP does not yet apply);
- Concerns regarding eliminating parking requirements for 100% affordable projects; and,
 - *Staff response: Eliminating parking as part of the ordinance does not mean that a developer will not still provide some amount of onsite parking as a project amenity. As discussed above in the parking section of the report, recent updates to the State Density Bonus Law as part of AB2345 relieve developers entirely from onsite parking requirements for specific projects that are located within one-half mile from an accessible major transit stop with unobstructed access to the major stop.*
- Would the reduction of the impact fees proposed as part of the Ordinance be proportional to the number of affordable units in an EDB project?
 - *Staff response: Fee waivers would only be applicable to the affordable units within the project. The Code currently only provides relief from impact fees for low and very low-income units and projects under this EDB ordinance would be granted relief for moderate income units as well.*

Summary of Community Engagement and Public Comments. The community outreach for the EDB ordinance was conducted as part of the Housing Element Update outreach process. The ordinance framework was presented at outreach meetings on August 12, 2020, April 28, 2021, and May 1, 2021. The August 12, 2020 Community Forum meeting was attended by a total of 40 community members. The inquiries and comments at that meeting spanned a wide range of housing-related topics, such as the Inclusionary Housing policy and additional strategies that the City is pursuing or should pursue to increase production of housing, and affordable housing production in particular. Feedback on the EDB ordinance at that meeting consisted of a concern that the 100%

bonus could be predatory; another comment received was that the goal of EDB should be to increase the proportion of affordable units by stimulating market-rate housing.

Approximately 100 members of the public attended the April 28 and May 1 meetings. Generally, comments received were in regard to the need for more affordable housing and the quality of housing; some concerns were raised regarding parking included (or excluded) with affordable housing; concerns regarding the difficulty in finding affordable housing in the City; housing for families; and concerns expressed about not having enough parking or infrastructure to support new housing. Some participants underscored the need for more housing, particularly affordable housing, Citywide, while others expressed concerns over whether and where new housing should be built.

Information on the EDB ordinance has also been included in the virtual open house for the Housing Element Update that has been available for people to review and provide feedback through at any time via the Housing Element Update website. The virtual open house has been available since December 2020.

The City has received consistent feedback from community members and housing advocates about the need for more affordable housing, including during recent processes such as the adoption of the Inclusionary Housing ordinance, the Framework for Reconciliation, and the amnesty program for informal dwelling units. Additionally, in many recent planning processes, there has been an identified need for greater access to childcare which the EDB is designed to help address through additional incentives for projects that provide on-site childcare.

PUBLIC HEARING NOTICE

In accordance with public hearing notification requirements for a Zoning Code Amendment in Long Beach Municipal Code (LBMC) Section 21.21.302.C, notice of this public hearing was published in the Long Beach Press-Telegram on June 3, 2021. Notices were also provided to City libraries that are currently open, notice posting was provided at City Hall but not at multiple locations. A notice of the proposed zoning code amendment was distributed through the City's LinkLB e-mail blast system and to individual stakeholders who have requested notification on this item.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, an Initial Study/Negative Declaration (IS/ND-08-20), has been prepared for the project and finds that the project will not result in significant effects to the environment (Attachment E – IS/MND-08-20). The major concepts of the proposed EDB ordinance and the Negative Declaration were posted on the City website and published in the Long Beach Press-Telegram on May 3, 2021. The IS/MND was circulated for a 30-day public review period between May 3, 2021 and June 3, 2021. As of the writing of this report, Staff received a couple of questions, as well as two comments (Attachment F – Public Comments) on the ND from residents who expressed concerns related to lack of sufficient parking, utilities and infrastructure related to new developments.

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Respectfully submitted,



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Attachments: Attachment A – Draft Ordinance
 Attachment B – Eligibility Maps
 Attachment C – Transit Priority Map
 Attachment D – Findings
 Attachment E – Negative Declaration
 Attachment F – Public Comments

FINDINGS

Enhanced Density Bonus Code Zoning Code Amendment (ZCA)

Application No. 2012-25 (ZCA20-017)

June 17, 2021

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

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

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

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

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

Attachment D

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

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

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

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

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

Attachment D

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

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

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

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

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

Attachment D

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

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

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

1 binding and enforceable document acceptable to the City Attorney and shall
2 bind the owner and any successor-in-interest to the real property being
3 developed. The agreement shall subordinate, if required, to any State or
4 federal program providing affordable housing to very low, lower and
5 moderate -income households. The agreement shall be recorded with the
6 Los Angeles County Recorder prior to the issuance of a Certificate of
7 Occupancy. The City's Housing and Neighborhood Services Bureau shall
8 be notified of pending transfers or purchases and give its approval of the
9 purchaser's qualifying income status and purchase price, prior to the close
10 of escrow. The City's Housing and Neighborhood Services Bureau shall be
11 notified of pending rentals and give its approval of proposed tenant's
12 qualifying income status and rental rate, prior to the tenant's occupancy.
13 Applicant or any successor-in-interest shall be required to provide annually,
14 or as requested, the names of all tenants or purchasers, current rents, and
15 income certification to ensure compliance. Voluntary removal of the housing
16 restriction or violation of the restriction shall be enforced by the City's
17 Housing and Neighborhood Services Bureau and shall require the applicant
18 or any successor-in-interest to pay the then applicable Police Facilities
19 Impact Fee at the time of voluntary conversion or as imposed at the time of
20 violation on the unit in violation, plus any attorneys' fees and costs of
21 enforcement, if applicable.

22
23 Section 2. Subsection 18.16.110.A.2.e of the Long Beach Municipal
24 Code relating to Fire Facilities Impact Fees is amended to read as follows:

25 e. Property rented, leased, sold, conveyed or
26 otherwise transferred, at a rental price or purchase price which does not
27 exceed the "affordable housing cost" as defined in Section 50052.5 of the
28 California Health and Safety Code when provided to a "lower income

1 household" as defined in Section 50079.5 of the California Health and
2 Safety Code or "very low-income household" as defined in Section 50105 of
3 the California Health and Safety Code or "moderate income household" as
4 defined in Section 50093 of the Health and Safety Code. This exemption
5 shall require the applicant to execute an agreement to guarantee that the
6 units shall be maintained for very low, lower or moderate -income
7 households, as applicable, whether as units for rent or for sale or transfer,
8 for the lesser of a period of fifty-five (55) years or the actual life or existence
9 of the structure, including any addition, renovation or remodeling thereto.
10 The agreement shall be in the form of a deed restriction or other legally
11 binding and enforceable document acceptable to the City Attorney and shall
12 bind the owner and any successor-in-interest to the real property being
13 developed. The agreement shall subordinate, if required, to any State or
14 federal program providing affordable housing to very low, lower and
15 moderate -income households. The agreement shall be recorded with the
16 Los Angeles County Recorder prior to the issuance of a Certificate of
17 Occupancy. The City's Housing and Neighborhood Services Bureau shall
18 be notified of pending transfers or purchases and give its approval of the
19 purchaser's qualifying income status and purchase price, prior to the close
20 of escrow. The City's Housing and Neighborhood Services Bureau shall be
21 notified of pending rentals and give its approval of proposed tenant's
22 qualifying income status and rental rate, prior to the tenant's occupancy.
23 Applicant or any successor-in-interest shall be required to provide annually,
24 or as requested, the names of all tenants or purchasers, current rents, and
25 income certification to ensure compliance. Voluntary removal of the housing
26 restriction or violation of the restriction shall be enforced by the City's
27 Housing and Neighborhood Services Bureau and shall require the applicant
28 or any successor-in-interest to pay the then applicable Fire Facilities Impact

1 Fee at the time of voluntary conversion or as imposed at the time of
2 violation on the unit in violation, plus any attorneys' fees and costs of
3 enforcement, if applicable.

4
5 Section 3. Subsection 18.17.130.B.5 of the Long Beach Municipal Code
6 relating to Transportation Improvement Fees is amended to read as follows:

7 5. Property rented, leased, sold, conveyed or otherwise
8 transferred, at a rental price or purchase price which does not exceed the
9 "affordable housing cost" as defined in Section 50052.5 of the California
10 Health and Safety Code when provided to a "lower income household" as
11 defined in Section 50079.5 of the California Health and Safety Code or "very
12 low-income household" as defined in Section 50105 of the California Health
13 and Safety Code or "moderate income household" as defined in Section
14 50093 of the Health and Safety Code. This exemption shall require the
15 applicant to execute an agreement to guarantee that the units shall be
16 maintained for very low, lower or moderate -income households, as
17 applicable, whether as units for rent or for sale or transfer, for the lesser of a
18 period of fifty-five (55) years or the actual life or existence of the structure,
19 including any addition, renovation or remodeling thereto. The agreement
20 shall be in the form of a deed restriction or other legally binding and
21 enforceable document acceptable to the City Attorney and shall bind the
22 owner and any successor-in-interest to the real property being developed.
23 The agreement shall subordinate, if required, to any State or federal
24 program providing affordable housing to very low, lower and moderate -
25 income households. The agreement shall be recorded with the Los Angeles
26 County Recorder prior to the issuance of a Certificate of Occupancy. The
27 City's Housing and Neighborhood Services Bureau shall be notified of
28 pending transfers or purchases and give its approval of the purchaser's

1 qualifying income status and purchase price, prior to the close of escrow.
2 The City's Housing and Neighborhood Services Bureau shall be notified of
3 pending rentals and give its approval of proposed tenant's qualifying income
4 status and rental rate, prior to the tenant's occupancy. Applicant or any
5 successor-in-interest shall be required to provide annually, or as requested,
6 the names of all tenants or purchasers, current rents, and income
7 certification to ensure compliance. Voluntary removal of the housing
8 restriction or violation of the restriction shall be enforced by the City's
9 Housing and Neighborhood Services Bureau and shall require the applicant
10 or any successor-in-interest to pay the then applicable Transportation
11 Improvement Fee at the time of voluntary conversion or as imposed at the
12 time of violation on the unit in violation, plus any attorneys' fees and costs of
13 enforcement, if applicable.

14
15 Section 4. Subsection 18.18.120.E.5 of the Long Beach Municipal Code
16 relating to Park Fees is amended to read as follows:

17 5. Property rented, leased, sold, conveyed or otherwise
18 transferred, at a rental price or purchase price which does not exceed the
19 "affordable housing cost" as defined in Section 50052.5 of the California
20 Health and Safety Code when provided to a "lower income household" as
21 defined in Section 50079.5 of the California Health and Safety Code or "very
22 low-income household" as defined in Section 50105 of the California Health
23 and Safety Code or "moderate income household" as defined in Section
24 50093 of the Health and Safety Code. This exemption shall require the
25 applicant to execute an agreement to guarantee that the units shall be
26 maintained for very low, lower or moderate -income households, as
27 applicable, whether as units for rent or for sale or transfer, for the lesser of a
28 period of fifty-five (55) years or the actual life or existence of the structure,

1 including any addition, renovation or remodeling thereto. The agreement
2 shall be in the form of a deed restriction or other legally binding and
3 enforceable document acceptable to the City Attorney and shall bind the
4 owner and any successor-in-interest to the real property being developed.
5 The agreement shall subordinate, if required, to any State or federal
6 program providing affordable housing to very low, lower and moderate -
7 income households. The agreement shall be recorded with the Los Angeles
8 County Recorder prior to the issuance of a Certificate of Occupancy. The
9 City's Housing and Neighborhood Services Bureau shall be notified of
10 pending transfers or purchases and give its approval of the purchaser's
11 qualifying income status and purchase price, prior to the close of escrow.
12 The City's Housing and Neighborhood Services Bureau shall be notified of
13 pending rentals and give its approval of proposed tenant's qualifying income
14 status and rental rate, prior to the tenant's occupancy. Applicant or any
15 successor-in-interest shall be required to provide annually, or as requested,
16 the names of all tenants or purchasers, current rents, and income
17 certification to ensure compliance. Voluntary removal of the housing
18 restriction or violation of the restriction shall be enforced by the City's
19 Housing and Neighborhood Services Bureau and shall require the applicant
20 or any successor-in-interest to pay the then applicable Park Fee at the time
21 of voluntary conversion or as imposed at the time of violation on the unit in
22 violation, plus any attorneys' fees and costs of enforcement, if applicable.

23
24 Section 5. The City Clerk shall certify to the passage of this ordinance by
25 the City Council and cause it to be posted in three (3) conspicuous places in the City of
26 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
27 Mayor.

28 //

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

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 20____, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

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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 ADDING CHAPTER 21.68, AND
SUBSECTION 21.25.506.A.7, ALL RELATING TO
ENHANCED DENSITY BONUS REGULATIONS

WHEREAS, the goal of the Enhanced Density Bonus (EDB) ordinance is to increase housing production outside of the Downtown area; provide an incentive structure to support inclusionary housing and to implement the recommendations of the May 2017 study “Revenue Tools and Incentives for the Production of Affordable and Workforce Housing” and the “Everyone Home” plan in order to augment the number of housing units in the City; and

WHEREAS, pursuant to Government Code Section 65852.150, the California Legislature has found and declared that, among other things, California faces a severe housing crisis and is falling far short of meeting current and future housing demand with serious consequences for the state's economy and its residents, particularly lower and middle-income earners; and

WHEREAS, the State Legislature has declared that the lack of readily available housing, including a variety of housing types for all income levels and special needs groups, is a critical problem that threatens the economic, environmental, and social quality of life in California; and .

WHEREAS, on January 8, 2020, Governor Gavin Newsom issued Executive Order N-23-20 declaring that California faces a severe housing crisis that has made housing unaffordable for too many Californians and, in turn, has exacerbated the problem of homelessness; and

WHEREAS, the housing crisis harms families across California and has

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 Chapter 21.68

24 ENHANCED DENSITY BONUS

25 21.68.010 Purpose.

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

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

13
14 21.68.020 Definitions.

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

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

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

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

1. Very Low-Income Households as defined in Section 50105 of the California Health and Safety Code.
2. Low Income Households as defined in Section 50093 of the California Health and Safety Code.
3. Moderate Income Households as defined in Section 50093 of the California Health and Safety Code.

21.68.030 Eligible parcels.

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

21.68.040 Procedures.

- A. Applicants with qualifying projects and parcels may request use of the EDB Chapter provisions and procedures, or the State Density Bonus provisions and procedures (Government Code 65915), but may not utilize both programs in order to increase density or otherwise qualify for project incentives.
- B. All deed-restricted affordable units approved utilizing the provisions of this Chapter shall be deed restricted for a minimum of fifty-five (55) years.
- C. All projects utilizing the provisions of this Chapter are required to undergo Site Plan Review (SPR) in accordance with the provisions set

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forth in Chapter 21.25.

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

E. No-Net-Loss

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

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

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

F. Rounding and calculations.

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

G. Affordable unit size, mix and location.

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

21.68.050 Density bonus eligibility and percentages.

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

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Table 21.68-1
Base Area

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

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

Table 21.68-2
High Quality Transit Corridors

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

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

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

Table 21.68-3
 Major Transit Stop

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

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

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

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

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

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

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

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

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

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

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

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

21.68.070 Types of eligible concessions/incentives.

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

1. A floor area ratio (FAR) increase of forty (40) percent per concession;
2. A fifteen (15) percent reduction in non-residential parking per concession;
3. A thirty (30) percent reduction in open space per concession;
4. An allowance for all shared/public (in lieu of private)

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open space;

5. An averaging of floor area ratio (FAR), density, parking, open space or access across zones (one incentive per regulation averaged);

6. A fifteen (15) percent reduction in transitional height requirements;

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

B. Height Concessions (except for projects subject to Inclusionary Housing Requirements (see Table 21.68-5 - Number of Concessions for Projects Subject to LBMC 21.67 (“Inclusionary Projects”) table above):

1. One (1) story per incentive (a story shall not exceed twelve (12) feet);

2. A maximum two (2) story increase in base area and a maximum three (3) story increase in Major Transit Stop and HQTC areas;

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

C. In addition to the above, an Applicant may suggest or request a concession/incentive not otherwise listed herein. Each such suggestion/request shall count double (forty (40) percent bonus required); and shall be subject to review and approval by the Planning Commission based on the physical necessity of the incentive for the provision of the affordable units. No concessions related to signage shall be granted.

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1 21.68.080 Special bonuses for large units and on-site childcare.

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

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

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

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

16
17 21.68.090 Parking requirements.

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

24 Table 21.68-6
25 EDB Parking Ratio Table

26 0-1 Bedrooms	0.75 space/unit
27 2 Bedrooms	1.00 space/unit
28 3 Bedrooms	1.25 space/unit
Guest Parking	1 space / 8 units

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Commercial Parking	First 6,000 square feet exempt; zoning code parking requirements apply beyond 6,000 square feet
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21.68.090 Sunset Clause.

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

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

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

Section 3. 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.

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

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I hereby certify that the foregoing ordinance was adopted by the City Council
of the City of Long Beach at its meeting of _____, 20____, by the
following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF
5 DEVELOPMENT SERVICES TO SUBMIT AMENDMENTS
6 TO THE LONG BEACH ZONING AND IMPACT FEE
7 REGULATIONS TO THE CALIFORNIA COASTAL
8 COMMISSION FOR ITS REVIEW, APPROVAL AND
9 CERTIFICATION

10
11 WHEREAS, the City Council of the City of Long Beach amended certain
12 provisions of the Long Beach Zoning and Impact Fee Regulations, Titles 18 and 21, of
13 the Long Beach Municipal Code; and

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

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

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

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

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

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

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

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

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

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

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk