

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

**6700 East Pacific Coast Highway
Application No. 2208-36 (SPR22-093)
April 20, 2023**

- 1) The proposed development conforms to the certified local coastal program, including but not limited to all requirements for replacement of low- and moderate-income housing; and**

The proposed project entails the demolition of an existing office building and the construction of a new mixed use building with 281 dwelling units and 3,150 square feet of retail/commercial space. Site Plan Review by the Planning Commission is required because the overall dwelling unit count for the project is greater than 50. A Local Coastal Development Permit (LCDP) is required for the scope of work proposed for the Site Plan Review.

The Local Coastal Program (LCP) is generally organized by area. The project site is within the Southeast Area Specific Plan Area in the Appealable Area of the Coastal Zone (see map of Coastal Zone in file Application Number 2208-36). The project site is located along East Pacific Coast Highway at the Southeastern most boundary of the City limits. The LCP identifies this area as an area of major change in that the older uses (strip commercial/retail and office) eventually turn over to residential or mixed uses (residential and commercial/retail).

The operation of the mixed use building with 281 dwelling units and 3,150 square feet of commercial/retail space would be consistent with the uses permitted in the SEASP MU-CC Zoning District. The development as sited would provide ample coastal access for enjoyment by the broader public and local residents, consistent with LCP goals that encourage visitor-serving and neighborhood-serving uses within the Coastal Zone. The development has been designed to not affect coastal access or impede the ability for the mixed use development to continue in conformance with the LCP. Furthermore, the project will provide new and direct access to the San Gabriel River Path for both pedestrians and bicycle riders.

The project invokes State Density Bonus Law (SB-1818) which allows for a density increase of 20% provided that a minimum of 5% of the units are designated affordable at the very low-income level for a minimum of 55 years. In order to facilitate the inclusion of affordable units, concessions/waivers are requested. The developer has requested a total of three (3) concessions/waivers to help facilitate the affordable housing as part of the project which includes, a forty percent (40%) increase in floor area ratio, one additional story for a total of six (6) stories, and tandem parking for some of the parking stalls. Concurrence by the Planning Commission of the

concessions/waivers to facilitate the project does not contradict compliance with the LCP, but validates compliance with the LCP by.

The maximum allowable floor area ratio (F.A.R.) within the SEASP area is 2.0 which, with a site area of 113,874 square feet of area calculates to an allowable building area of 227,748 square feet. This increase is approximately forty percent (40%) which translates to an overall floor area of 318,847 square feet. In order to provide the additional thirteen (13) affordable units, and the additional market rate units, additional floor area and one (1) additional story is needed to accommodate the number of units and their respective bedroom counts on the site.

The additional floor area and story of the building do not conflict with the policies and parameters set forth in the LCP as the project implemented with the concessions/waivers does not impede the view shed northward on Pacific Coast Highway from the Long Beach/Seal Beach border toward the Los Cerritos Wetlands. Conditions of approval are included that require the project to comply with all applicable polices contained in the SEASP document that relate to scenic vistas and view shed corridors.

The concession for tandem parking, is also consistent with the LCP in that the project provides more vehicular parking for their tenants and guests than is required for a project with affordable units. Per State Density Bonus Law the project is only required to provide 345 parking spaces for the project, however the project is providing a minimum of 507 stalls, which is forty percent (40%) more than required. A parking layout with tandem parking stalls allows for more parking than required as opposed to a standard parking layout with no tandem stalls. In order to organize the tandem stalls, a condition of approval has been included which requires tandem stalls be assigned to the same residential unit.

Bird species, prevalent in and around the nearby wetlands, area are also protected as the developer will be required to provide bird-safe glass in all of the windows along each of the elevations to protect the variety of bird species around the area.

2) The proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. This second finding applies only to development located seaward of the nearest public highway to the shoreline.

Chapter 3 of the Coastal Act deals with the public's right to use beach and water resources for recreational purposes. The chapter provides the basis for

State and local government to require beach access dedication and to prohibit development, which restricts public access to the beach or/and water resources. The site will be developed in accordance with State law and the City's Zoning Code and has a minimum of 507 parking spaces. Any future use proposing to occupy the public sidewalk would require a Public Works Public Walkways Occupancy Permit (PWOP) prior to use.

The incorporation of affordable units is consistent with the certified Local Coastal Program and Coastal Act, which encourages a mix of housing opportunities to meet the public access goals of the Coastal Act. Maximizing public access "for all the people," is part of the Environmental Justice policies adopted by the Coastal Commission. Without the concessions for height, floor area, and parking the project would be developed with market rate units only which would not help to fully realize the robust public access policies and broad concern for equitable access to the Coast by all. The project conditions of approval ensure that the units are distributed throughout the various residential levels, including the upper floors, and shall be generally reflective of the mix of unit sizes and number of bedrooms in the overall project. The SEASP area is designated as a high resource area and the development of affordable units within SEASP fosters equity. The specific concession/waivers requested to support the project are not incongruent with the certified LCP and Coastal Act. The increased height by one-story to six-stories does not obstruct an established view corridor. Furthermore, this concession in height is not unlike the waiver process allowed under the SEASP for additional height granted to low-cost overnight visitor serving accommodations. The concessions/waivers include increased floor area and alternative parking and parking reduction to support the additional density for the affordable dwelling units. Increased density is known to reduce both Vehicle Miles Travel and energy consumed consistent with Coastal Act (Public Resources Code 30250 and 30253).

This second finding only applies to development located seaward of the nearest public highway to the shoreline. While, the subject site is not within this area, the proposed project would be limited to private property and in compliance with applicable Public Works policies.

- 3) **For an application for a religious assembly use, if an exception or waiver of LCP requirements is sought under Section 21.52.219.8.G, that the exception or waiver allows the minimum deviation from LCP requirements necessary to comply with RLUIPA, and that the decisionmaker has imposed all conditions necessary to comply with all provisions of the LCP, with the exception of the provision(s) for which implementation would violate RLUIPA.**

Project is not a religious assembly use, therefore this finding does not apply to the subject project.

- 4) **The proposed development is sited, designed and managed to minimize the transport of pollutants by runoff into coastal waters and groundwater, and to minimize increases in runoff volume and velocity from the site which may adversely impact coastal resources or coastal bluff stability. Best Management Practices shall be implemented, as applicable, including but not limited to applicable local, regional, state and federal water quality permits, standards and guidance provided in the LCP, best practices and other measures as may be recommended by the City Engineer.**

The project includes the demolition of an existing office building and the construction of a new 6-story mixed use building with 3,150sf of commercial/retail space and 281 dwelling units. The proposed development will be required to obtain building permits from the Building Department. All onsite construction related to the building remodel and site improvements are required to comply with all applicable local, regional, state, and federal water quality permits. Therefore, adherence to permit requirements would minimize the transport of pollutants and runoff that could impact coastal resources.

5. **For an application to restrict short-term rentals in accordance with the provisions and procedures outlined in Chapter 5.77 (Short-Term Rentals) of the certified LCP, the project shall conform with the certified local coastal program, including with the provisions relating to coastal access and recreation. The required findings must include a cumulative impacts analysis informed, at least in part, by monitoring data collected on approved projects that restrict STRs and on STRs throughout the coastal zone. The responsible hearing body shall also find:**
- i. The proposed restriction would not result in the substantial loss of visitor-serving accommodations (i.e., a reduction in available overnight accommodation rooms, including but not limited to short-term rentals, hotels, and/or motels, within ¼ mile of visitor-serving recreational uses, the beach, bay, ocean, or tidelands).**
 - ii. The proposed restriction would not result in the loss of lower-cost overnight accommodations. Lower-cost overnight accommodations shall be defined as those charging approximately twenty five percent (25%) less than the statewide average daily room rate or less.**
 - iii. The proposed restriction would not result in the net loss of short-term rentals below four hundred twenty-five (425) short-term rental units (both hosted and un-hosted and/or primary or non-primary) historically occurring in the coastal zone.**

- iv. The proposed restriction would be necessary to protect the neighborhood stability, housing access, and would be consistent with the neighborhood character established in the Local Coastal Program (LCP).**

The project does not include an application to restrict short-term rentals; therefore, this finding is not applicable to the proposed project.