

RESOLUTION NO. RES-18-0006

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH FINDING THAT THE LOT MERGER  
(LMG17-015) TO CONSOLIDATE THREE LOTS INTO ONE  
LOT ON PROPERTIES LOCATED AT 1836-1852 LOCUST  
AVENUE IN THE MIDTOWN SPECIFIC PLAN (SP-1) AREA  
IS CONSISTENT WITH THE MIDTOWN SPECIFIC PLAN,  
THE MIDTOWN SPECIFIC PLAN ENVIRONMENTAL  
IMPACT REPORT (STATE CLEARINGHOUSE NO.  
2015031034), THE ADDENDUM TO THE MIDTOWN  
SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT, AND  
SUBJECT TO THE MIDTOWN SPECIFIC PLAN MITIGATION  
MONITORING AND REPORTING PROGRAM; AND MAKING  
CERTAIN FINDINGS AND DETERMINATIONS RELATED  
THERETO

WHEREAS, on May 24, 2016, the City Council of the City Long Beach  
(City) adopted the Midtown Specific Plan (SP-1) by Resolution No. RES-16-0042. The  
Midtown Specific Plan replaced the former Long Beach Boulevard Planned Development  
District (PD-29) with the goal of bringing new high-quality development to the transit  
corridor along portions of Long Beach Boulevard. The Midtown Specific Plan Area is  
generally situated east of Pacific Avenue, west of Atlantic Avenue, north of Anaheim  
Street, and south of Wardlow Road, and is a corridor along Long Beach Boulevard just  
north of downtown Long Beach. It consists of two areas: The Midtown Specific Plan area  
and an area outside of but adjacent to the Midtown Specific Plan. The Midtown Specific  
Plan spans approximately 369 acres. The area outside the Midtown Specific Plan covers  
approximately four acres around Daryle Black Park. Both areas make up the Midtown

1 Specific Plan area.

2 WHEREAS, in connection with adoption of the Midtown Specific Plan, the  
3 City, as lead agency, prepared a Programmatic Environmental Impact Report for the  
4 Midtown Specific Plan (SCH No. 2015031034 Midtown Specific Plan PEIR) in  
5 accordance with the provisions of the California Environmental Quality Act (CEQA) and  
6 Section 15168 of the CEQA Guidelines, which provides for the preparation of a PEIR  
7 “[i]n connection with issuance of rules, regulations, plans, or other general criteria to  
8 govern the conduct of a continuing program.” The City Council certified the Midtown  
9 Specific Plan PEIR on May 24, 2016, when it adopted the Midtown Specific Plan.  
10 Subsequently, on January 9, 2018, the City Council of the City of Long Beach approved  
11 an Addendum to said EIR and both the EIR and Addendum thereto are hereby  
12 incorporated herein by reference as though set forth in full, word for word.

13 WHEREAS, the Midtown Specific Plan PEIR serves as a basis for  
14 streamlined environmental review of all subsequent public and private actions that may  
15 be subject to CEQA review for land development projects, infrastructure improvements,  
16 and other ordinances, programs, and actions that the City determines to be necessary to  
17 implement the Downtown Plan. Furthermore, the PEIR states:

18 “Because the Project is an adoption of a plan, not an individual or series of  
19 development projects, subsequent environmental review will be subject to  
20 the provisions of Section 15183 of the State CEQA Guidelines, under  
21 which projects that are consistent with the development density or  
22 intensity of the plan “shall not be subject to additional environmental  
23 review, except as might be necessary to examine whether there are  
24 project-specific significant effects which are peculiar to the project or its  
25 site.” Section 15183 provides additional guidance for preparation of an  
26 Initial Study for subsequent projects to determine whether there is project-  
27 or site-specific impacts; environmental effects that were not analyzed as  
28 significant effects in the PEIR; as offsite or cumulative impacts; or as more

1           severe impacts than were identified in the PEIR.”

2           WHEREAS, where appropriate, the mitigation measures to the PEIR  
3 requires preparation of specific additional studies and analyses to determine whether an  
4 individual project would result in project-specific new or increased significant effects that  
5 are peculiar to the project or its site.

6           WHEREAS, the proposed lot merger (LMG 17-015) Project (Project) to  
7 consolidate three lots into one lot on properties located at 1836-1852 Locust Avenue is  
8 required to facilitate the development of a five-story residential development containing  
9 forty-eight (48) affordable housing units and forty (40) parking spaces on a 27,000-square  
10 foot lot;

11           WHEREAS, on October 25, 2017, the Site Plan Review Committee of the  
12 City of Long Beach approved the Site Plan design and layout in accordance with Long  
13 Beach Municipal Code Section 21.25.503 for the above described residential  
14 development project; because said Project consisted of less than fifty (50) residential  
15 units jurisdiction for the approval of said Site Plan was with the Site Plan Review  
16 Committee rather than the Planning Commission;

17           WHEREAS, the approval of said Site Plan by the Site Plan Review  
18 Committee was contingent upon subsequent approval of a Lot Merger and General Plan  
19 Amendment for the subject development site by the City Council of the City of Long  
20 Beach;

21           WHEREAS, on December 7, 2017, the Long Beach Planning Commission  
22 held a public hearing and voted to recommend that the City Council approve the  
23 proposed Lot Merger as described above, and recommended that the City Council  
24 approve a General Plan Amendment (GPA17-005) as well as an Addendum to the  
25 Midtown Specific Plan Programmatic Environmental Impact;

26           NOW, THEREFORE, the City Council resolves as follows:

27           Section 1.   The City Council: (a) has considered all appropriate  
28 environmental documentation including, but not limited to, the Programmatic

1 Environmental Impact Report for the Midtown Specific Plan and Addendum to the  
2 Midtown Specific Plan Programmatic Environmental Impact Report, and other pertinent  
3 evidence in the record, including studies, reports, and other information from qualified  
4 experts (collectively the "Environmental Documents"), (b) has considered the  
5 environmental effects of the Project as set forth in the Environmental Documents, and (c)  
6 makes the following findings:

- 7       A) The City Council independently reviewed and analyzed the environmental  
8 documents and finds that they reflect the independent judgment of the City.
- 9       B) The Midtown Specific Plan was adopted as a zoning ordinance and is  
10 consistent with the City's General Plan.
- 11       C) The City previously certified the Midtown Specific Plan PEIR for the  
12 Midtown Specific Plan as well as the Addendum to said PEIR.
- 13       D) The Project is consistent with the Midtown Specific Plan, including, but not  
14 limited to the following design standards: Front yard setback, rear yard  
15 setback, side yard setback, building height, floor area ration (FAR), open  
16 space and private landscape, minimum unit size, ground floor height,  
17 parking and bike storage, as is more particularly set forth in Exhibit "A"  
18 which is attached hereto and incorporated herein by this reference as  
19 though set forth in full, word for word.
- 20       E) All applicable feasible mitigation measures from the Midtown Specific Plan  
21 PEIR will be undertaken and are hereby imposed as part of the Lot Merger,  
22 and the Project in its entirety must be fully compliant with said mitigation  
23 measures, regulatory compliance measures, project design features, and/or  
24 conditions of approval, as set forth in the Environmental Documents,  
25 including but not limited to the Mitigation Monitoring and Reporting Program  
26 as set forth in the Programmatic Environmental Impact Report for the  
27 Midtown Specific Plan (SCH2015031034).
- 28



- 1 F) Based on substantial evidence in the Environmental Documents and  
2 elsewhere in the record, including but not to limited to oral and written  
3 testimony provided at the public hearings on the matter, there are no  
4 environmental effects of the Project that: (1) are project-specific impacts  
5 peculiar to the Project or its site, (2) were not analyzed as significant effects  
6 in the Midtown Specific Plan PEIR or Addendum thereto, (3) are potentially  
7 significant off-site impacts and cumulative impacts which were not  
8 discussed in the PEIR or the Addendum thereto, or (4) are previously  
9 identified significant effects which, as a result of substantial new information  
10 which was not known at the time the PEIR was certified or the Addendum  
11 approved, are determined to have a more severe adverse impact than  
12 discussed in the PEIR or Addendum.
- 13 G) Pursuant to CEQA Guidelines 15183, no further CEQA review or additional  
14 environmental studies are required for the Lot Merger or the Project.
- 15 H) None of the information submitted at the hearing of this matter, including  
16 the testimony at the hearing on the Project, constitutes significant new  
17 information. The City Council has carefully considered this information and  
18 testimony and does not find any evidence of a significant environmental  
19 impact as a result of the proposed Project, nor does the City Council find  
20 there to be credible evidence of a significant impact, a substantial increase  
21 in the severity of an impact disclosed in the Midtown Specific Plan PEIR or  
22 Addendum thereto, or otherwise requiring additional CEQA review,  
23 including but not limited to preparation of a subsequent or supplemental  
24 EIR pursuant to CEQA Guidelines 15162 and 15163;
- 25 I) The City Council finds and declares that substantial evidence for every  
26 finding made herein is contained in the Environmental Documents,  
27 including the "Environmental Compliance Checklist", a copy of which is  
28

1 attached hereto as Exhibit "B" and incorporated herein by this reference as  
2 though set forth herein word for word.

3 J) Consistent with Public Resources Code Section 21081.6, the City Council  
4 hereby adopts the Mitigation Monitoring and Reporting Program (MMRP)  
5 adopted as part of the certification of the Programmatic Environmental  
6 Impact Report for the Midtown Specific Plan (SCH2015031034), which  
7 MMRP is incorporated herein by this reference as though set forth herein in  
8 full, word for word, to mitigate or avoid significant effects of the Lot Merger  
9 or Project on the environment and to ensure compliance during project  
10 implementation.

11 K) In accordance with the requirements of Public Resources Section 21081.6,  
12 the City Council hereby adopts each of the relevant mitigation measures  
13 expressly set forth herein as conditions of approval for the Project.

14 L) Consistent with Public Resources Code Section 21081.6(a)(2), the  
15 documents that constitute the record of proceedings for approving the  
16 Project are located at the Development Services Department, 333 West  
17 Ocean Blvd., 5th Floor, Long Beach, California 90802.

18  
19 Section 2. This resolution shall take effect immediately upon its adoption  
20 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of January 9, 2018, by the following vote:

Ayes: Councilmembers: Gonzalez, Pearce, Price,  
Supernaw, Andrews, Uranga, Austin,  
Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: Mungo.

  
City Clerk

# **Midtown Specific Plan Zoning Compliance**

**1836-1852 Locust Avenue**

## **Zoning District - Transit Node High**

|                            | <b>Requirements</b>   | <b>Project</b>   | <b>Compliance</b>             |
|----------------------------|---|--|-------------------------------|
| <b>Front yard Setback</b>  | 0'-0"   | 6'-0"  | complies                      |
| <b>Rear Yard Setback</b>   | 10'-0 (measured from the CL of alley)   | 16'-0" to rear PL  | complies                      |
| <b>Side Yard Setbacks</b>  | 5'-0"   | 5'-0"  | complies                      |
| <b>Building Height</b>     | 10 stories and 100 feet   | 5 stories and 59'-6"   | complies                      |
| <b>FAR</b>                 | 4   | 1.95   | complies                      |
| <b>Open Space-private</b>  | 50 sf per unit  | 50 sf per unit and 4,669 sf common open space                              | complies                      |
| <b>Landscape</b>           |   |  | complies                      |
| <b>Minium Unit Size</b>    | 600 (15% of units may be less than 600 sf not smaller than 450 sf with SPR approval)  | 42 units equal to or greated than 600 sf and 6 units or 12.5% below 600 sf | complies                      |
| <b>Ground floor height</b> | 18 (SPR approval for 15'-0) CA Govt Code 65915(p)(3) specifies a parking ratio of 0.5 parking spaces per unit for developments that are located within one-half mile of public transit and projects that include affordable housing. (47x.5=23.5 plus 2 = 25 parking spaces). | 15'-0"   | complies                      |
| <b>Parking</b>             |   | 40 parking spaces enclosed in garage                                       | complies with State standards |
| <b>Bike Storage</b>        | 1.0 space per 2 units   | 30 enclosed lockers in parking garage                                      | complies                      |

**Environmental Compliance Checklist:**

**Midtown Specific Plan Program Environmental Impact Report  
1836-1852 Locust Avenue  
Application No. 1709-35  
GPA 17-005/SPR17-074/LMG17-015  
December 7, 2017**

## **Introduction**

In June of 2016, the City Council certified the Final Environmental Impact Report (FEIR) for the Midtown Specific Plan (State Clearinghouse No. 2015031034). The FEIR was prepared as a Program Environmental Impact Report and referred to as "Program EIR" in this document. The City was the public agency which had the principal responsibility for carrying out or approving the Midtown Specific Plan, and as such was the "Lead Agency" under the California Environmental Quality Act of 1970 (CEQA) (*State CEQA Guidelines*, Section 15367).

This document is a compliance checklist to evaluate the environmental impacts associated with Application No. 1709-35 / SPR 17-044 to construct a five-story mixed-use project with approximately 48 dwelling units and 40 parking spaces at 1838-1852 Locust Avenue (Project) within the area of the Midtown Specific Plan area in the City of Long Beach (City).

## **Purpose**

CEQA requires a Lead Agency to consider the information contained in the EIR prior to taking any discretionary action on the proposed project. This document has been prepared in accordance with the California Environmental Quality Act. According to Section 15168 (c)(2) of the State CEQA Guidelines, a Program EIR can be used in compliance with CEQA to address the effects of a subsequent activity so long as the activity of the project is within the scope of the program EIR and no new effects are found and no new mitigation measures are required. As supported by the analysis presented in this document, the Project, would not result in new or substantially more severe significant environmental impacts than was analyzed in the Midtown Specific Plan Program EIR (State Clearinghouse No. 2015031034).

This document has been prepared in accordance with California Environmental Quality Act. According to Section 15162 of the State CEQA Guidelines, a program EIR can be used in compliance with CEQA to address the effects of a subsequent activity so long as the activity of the project is within the scope of the program EIR and no new effects are found and no new mitigation measures are required. As supported by the analysis presented in this document, the Project, would not result in new or substantially more severe significant environmental impacts than was analyzed in the Midtown Specific Plan Program EIR (State Clearinghouse No. 2015031034).

This environmental compliance review is intended to serve as an informational document to be considered by the City during deliberations on the proposed project.

## **Incorporation by Reference**

This Environmental Compliance Checklist may reference all or portions of another document that is a matter of public record or is generally available to the public. Informational details from the documents that have been incorporated by reference are summarized below. These documents include:

- Midtown Specific Plan (June 2016)
- Midtown Specific Plan Environmental Impact Report (March 2016)
- Long Beach Municipal Code
- County Sanitation District of Los Angeles County Letter to Ms. Barbara Ashba dated (Ref. Doc. No. 4329420)
- Pacific Environmental Company, Phase I Environmental Site Assessment Performed at 1838 Locust Avenue dated March 21, 2017/October 2, 2017.
- KOA, Site Specific Traffic Analysis dated November 2017.

## **Format of this Environmental Compliance Checklist**

The Midtown Specific Plan Program EIR analyzed potential environmental impacts of the implementation of the Midtown Specific Plan by utilizing the Environmental Checklist Form included in Appendix G of the *CEQA Guidelines*. The City determined that an EIR would be required for the Midtown Specific Plan Project and issued a Notice of Preparation (NOP) and Initial Study in March 2015 (Refer to Appendix A of the Midtown Specific Plan Program EIR). The NOP process was used to help determine the scope of the environmental issues to be addressed in the DEIR.

Based on this process and the Initial Study for the Midtown Specific Plan, certain environmental categories were identified as having the potential to result in significant impacts. Issues considered Potentially Significant were addressed in the Midtown Specific Plan Draft EIR. Issues identified as Less Than Significant or No Impact were not addressed beyond the discussion contained in the Initial Study.

The analysis in this Environmental Compliance Checklist will include all environmental topics analyzed in the Initial Study and the EIR prepared for the Midtown Specific Plan. For each impact identified in this Environmental Compliance Checklist, a summary of the analysis in the Midtown Specific Plan Program EIR and statement of the level of significance of the impact are provided. Included in the analysis is a determination if the mitigation measures identified in the Midtown Specific Plan Program EIR are applicable to the Project or whether there are any additional impacts not previously identified in the Midtown Specific Plan Program EIR and would therefore require new mitigation measures.

The Environmental Compliance Checklist applies the following determination of impacts:

- Potentially Significant Impact Not Identified in Midtown Specific Plan Program EIR
- No Impact/No Change to Midtown Specific Plan Program EIR

## 1.0 Project Description

The proposed multi-family residential project at 1836-1852 Locust Avenue the (Project) would develop the existing vacant three parcel, 27,000 square foot site of flat topography with a 5-story building featuring 48 dwelling units above ground floor level which consist of community rooms, office space and a 40-stall parking garage. The project totals 65,866 square feet for a Floor Area Ratio of 1.95. 47 of the units will be affordable with one manager unit.

The project site is located on the east side of Locust Avenue north of Pacific Coast Highway (Figure 1). The project site is surrounded by residential uses to the north, south and west consisting of several one-to two story duplexes and 4-unit apartments, and commercial uses across the alley to the east. At present the site contains no habitable structures. It was originally developed with residential homes.



Figure 1: Vicinity Map

## Project Approval



The proposed project would require the following approves:

- General Plan Amendment
- Site Plan Review
- Lot Merger
- Disposition and Development and Loan Agreement (Long Beach Community Investment Company)

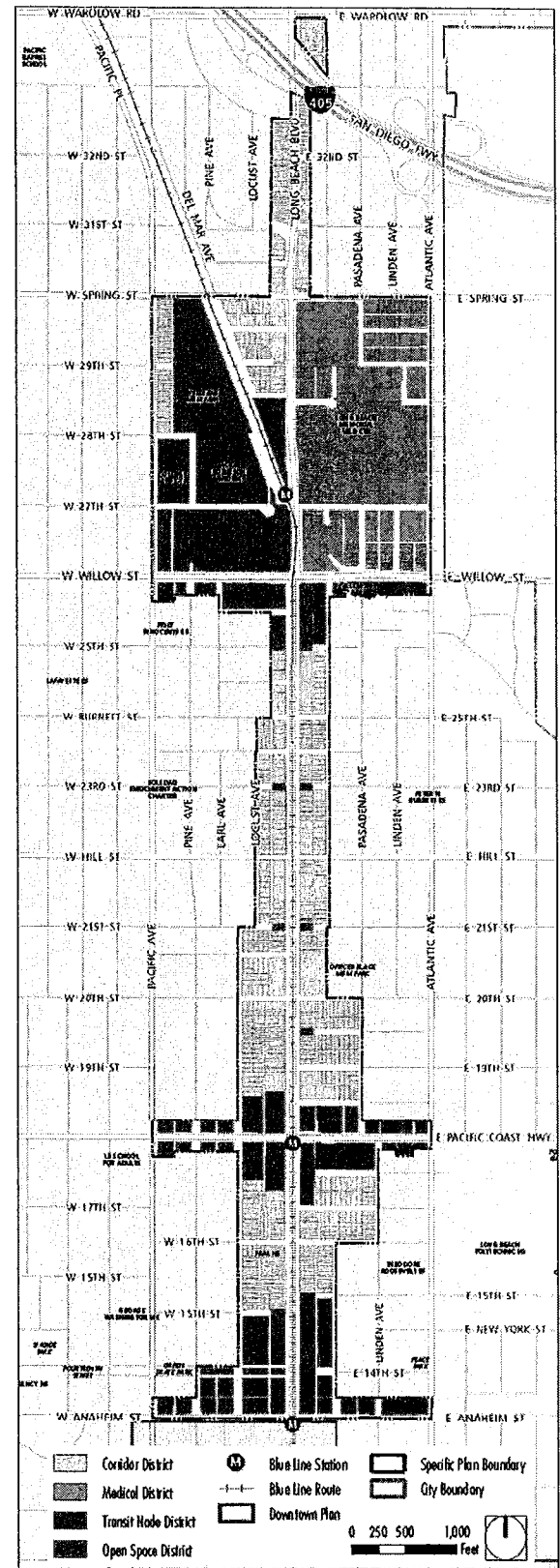
## Assumptions included in the Midtown Specific Plan Program EIR for the Project Site

The project is located within the area of the Midtown Specific Plan (Figure 2) Specifically, it is within the Subarea 6 of the Midtown Specific Plan Transit Node High District. The project assumes that at buildout there will 3,619 dwelling units and 2,997,265 square feet of commercial floor area constructed throughout the entire Specific Plan Area

Figure 2: Midtown Specific Plan Area

## Environmental Compliance Checklist:

This checklist examines the impact determinations of the Midtown Specific Plan, potential impacts of the proposed project, and mitigation measures included in the Midtown Specific Plan Program EIR. This chapter is divided into sections based on the Environmental Checklist Form included in the Midtown Specific Plan Program EIR.



|  | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|--|--|--|---|
| <b>Impact Area: Aesthetics</b>   |  |  |   |
| -- Would the Project:  |  |  |   |
| a) Have a substantial adverse effect on a scenic vista?  | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | Less Than Significant                                    | <input checked="" type="checkbox"/>  | <input checked="" type="checkbox"/>                                   |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                    | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |

*a) Would the project have a substantial adverse effect on a scenic vista?*

The Midtown Specific Plan Program EIR found that there are no designated scenic vistas located within or adjacent to the plan area. No impacts related to scenic vistas would occur with implementation of the Specific Plan.

Implementation of the proposed project would be subject to the Midtown Specific Plan zoning standards for setbacks, height requirements and building design. Development within the Midtown Specific Plan area would have no impact to scenic vistas. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects on scenic vistas is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The Midtown Specific Plan Program EIR found that there are no rock outcroppings or other scenic resources on or adjacent to the Specific Plan area. In addition, the Specific Plan area is not within a state scenic highway, nor is it visible from any officially designated scenic highway. No impacts related to scenic resources were identified in the Midtown Specific Plan Program EIR.

The proposed project is within the plan area analyzed in the Midtown Specific Plan Program EIR and no new scenic highways have been designated in the plan area since preparation of the Midtown Specific Plan Program EIR.<sup>1</sup> Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects on scenic resources is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

The Midtown Specific Plan Program EIR found that the greater allowable building heights, building intensity, and allowance of mixed uses in accordance with the uses envisioned and permitted by the Specific Plan would result in a change to the visual character, but would not result in a degradation of visual character or quality. The existing Specific Plan area currently has no consistent architectural theme. Compliance with the development standards of the Midtown Specific Plan would ensure that all new development projects that would be accommodated by the Specific Plan are built to share similar character and style to unify the entire Midtown Specific Plan area. Impacts related to visual character and quality were determined to be less than significant.

The proposed multi-family residential project has a maximum building height of approximately 100 feet and 10 stories and is consistent with the development standards for the Transit Node High District established in the Midtown Specific Plan. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects on visual character or quality of the site and its surroundings is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The Midtown Specific Plan Program EIR determined that the existing plan area is highly urbanized and built out, and contains many existing sources of nighttime illumination. Future development would alter and intensify land uses and their related lighting sources throughout the Midtown Specific Plan area by introducing new building (interior and exterior), open space, security, sign, and parking lights.

The architectural treatments of future development projects accommodated under the Midtown Specific Plan would include style-appropriate architectural building materials. These materials would be similar to the non-reflective building materials on existing land uses throughout the Midtown Specific Plan area. In addition, glare from windows installed on residential and nonresidential development projects would be typical of the surrounding area and would not increase glare beyond what is expected for a highly-urbanized area.

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<sup>1</sup> California Department of Transportation. California Scenic Highway Mapping System: Los Angeles County. Website: [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm) (accessed October 3, 2017).

The design guidelines in the Midtown Specific Plan prohibit the use of highly reflective or very dark glass.

Future development would be required to adhere to the lighting standards outlined in the City's Municipal Code, which includes provisions to prevent light spillover to adjacent properties, shielding of electronic signs, and the shielding or hooding of floodlights. In addition, the future development projects would be required to comply with California's Building Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 6, of the California Code of Regulations, which outlines mandatory provisions for lighting control devices and luminaires. With adherence to the provisions of these lighting regulations, the lighting and glare associated with development accommodated by the Midtown Specific Plan was determined to be less than significant.

A project materials board for the proposed project was filed with the Site Plan Review submittal. Proposed building materials were found to be of high quality, durable and not highly reflective. The lighting for the proposed project is consistent with the provisions of the Midtown Specific Plan, the City's Municipal Code, and California's Building Energy Efficiency Standards for Residential and Nonresidential Buildings. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to light and glare is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area: Agricultural Resources**

-- 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 non-agricultural use?

No Impact

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☒

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact

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☒

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))?

No Impact

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

No Impact

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

No Impact

☐

☒

*a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

*b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

- c) *Would the project 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))?*
- d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*
- e) *Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

The Midtown Specific Plan Program EIR found no impact to farmland, agricultural land or uses, or with the agricultural zoning of Williamson Act contracts.

The project site is located within an urbanized area with no existing agricultural uses. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to agricultural uses is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

|   | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|---|--|--|---|
| <b>Impact Area: Air Quality</b>   |  |  |   |
| -- Would the Project:   |  |  |   |
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | Significant and Unavoidable                              | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | Significant and Unavoidable                              | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | Significant and Unavoidable                              | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | Less Than Significant with Mitigation                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| e) Create objectionable odors affecting a substantial number of people?   | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |

*a) Would the project conflict with or obstruct implementation of the applicable air quality plan?*

The Midtown Specific Plan was determined to be a regionally significant project that would contribute to an increase in frequency or severity of air quality violations in the South Coast Air Basin and would conflict with the assumptions of the applicable Air Quality Management Plan. Despite the Specific Plan's furthering of regional transportation and planning objectives to reduce per capita VMT and associated emissions, the Midtown Specific Plan would represent a substantial increase in emissions compared to existing conditions and would exceed South Coast Air Quality Management District (SCAQMD) regional operational significance thresholds. Mitigation measures MM AQ-1, AQ-2, AQ-3, AQ-4, and AQ-5 would reduce the Specific Plan's regional construction-related and operational phase criteria air pollutant emissions to the extent feasible. However, given the potential increase in growth and associated increase in criteria air pollutant emissions, the implementation of the Specific Plan would continue to be potentially inconsistent with



the assumptions in the Air Quality Management Plan (AQMP). Therefore, impacts related to conflicts with an air quality plan would remain significant and unavoidable.

The proposed multi-family residential project is consistent with the uses and development intensity included in the air quality analysis conducted for the Midtown Specific Plan Program EIR. The conditions of approval for the proposed project require compliance with all mitigation measures applicable to the proposed project. The project applicant shall be required to demonstrate compliance with Mitigation Measures AQ-1, AQ-2, AQ-3, AQ-4, and AQ-5. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to conflicts with an air quality plan is not required.

#### Mitigation Measures:

**AQ-1** Applicants for new development projects within the Midtown Specific Plan area shall require the construction contractor to use equipment that meets the United States Environmental Protection Agency (EPA)-Certified emissions standards. All off-road diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 emission standards. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by the California Air Resources Board's regulations.

Prior to construction, the project engineer shall ensure that all demolition and grading plans clearly show the requirement for EPA Tier 4 or higher emissions standards for construction equipment over 50 horsepower. During construction, the construction contractor shall maintain a list of all operating equipment in use on the construction site for verification by the City of Long Beach Building Official or their designee. The construction equipment list shall state the makes, models, and numbers of construction equipment onsite. Equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. Construction contractors shall also ensure that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with California Air Resources Board's Rule 2449.

**AQ-2** Applicants for new development projects within the Midtown Specific Plan area shall require the construction contractor to prepare a dust control plan and implement the following measures during ground-disturbing activities in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District (SCAQMD) Rule 403 to further reduce PM<sub>10</sub> and PM<sub>2.5</sub> emissions. The City of Long Beach Building Official or their designee shall verify compliance that these measures have been implemented during normal construction site inspections.

- Following all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering.

- During all construction activities, the construction contractor shall sweep streets with SCAQMD Rule 1186-compliant, PM<sub>10</sub>-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.
- During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other cover that achieves the same amount of protection.
- During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.
- During all construction activities, the construction contractor shall limit onsite vehicle speeds on unpaved roads to no more than 15 miles per hour.

AQ-3 Applicants for new development projects within the Midtown Specific Plan area shall require the construction contractor to use coatings and solvents with a volatile organic compound (VOC) content lower than required under South Coast Air Quality Management District Rule 1113 (i.e., super compliant paints). The construction contractor shall also use precoated/natural-colored building materials, where feasible. Use of low-VOC paints and spray method shall be included as a note on architectural building plans and verified by the City of Long Beach Building Official or their designee during construction.

#### Stationary Source

AQ-4 Prior to issuance of a building permit for new development projects within the Midtown Specific Plan area, the property owner/developer shall show on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are Energy Star appliances. Installation of Energy Star appliances shall be verified by the City of Long Building and Safety Bureau prior to issuance of a certificate of occupancy.

#### Transportation and Motor Vehicles

AQ-5 Prior to issuance of building permits for non-residential development projects within the Midtown Specific Plan area, the property owner/developer shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City of Long Beach Building and Safety Bureau prior to issuance of a certificate of occupancy.

- For buildings with more than ten tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3 (Nonresidential Voluntary Measures) of the CALGreen Code.

- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the CALGreen Code.
- Facilities shall be installed to support future electric vehicle charging at each non-residential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures) of the CALGreen Code.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- b) *Would the project violate any air quality standard or contracture substantially to an existing or projected air quality violation?*
- c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Buildout of the Midtown Specific Plan would generate short-term and long-term emissions that exceed the South Coast Air Quality Management District's regional construction significance thresholds and would significantly contribute to the nonattainment designations of the South Coast Air Basin. For the air quality analysis, the maximum daily emissions are based on a very conservative scenario, where several construction projects throughout the Specific Plan area would occur at one time and overlap of all construction phases occur at the same time.

Mitigation Measures AQ-1 through AQ-3 would reduce criteria air pollutants generated from project-related construction activities. Buildout of the Midtown Specific Plan would occur over a period of approximately 18 years or longer. Construction time frames and equipment for individual site-specific projects were not available at the time the EIR was prepared. There is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, despite adherence to Mitigation Measures AQ-1 through AQ-3, short-term emissions would remain significant and unavoidable.

Incorporation of Mitigation Measures AQ-4 and AQ-5 would reduce operation-related criteria air pollutants generated from stationary and mobile sources. Mitigation Measure AQ-5 would encourage and accommodate the use of alternative-fueled vehicles and nonmotorized transportation, as would the provisions of the Midtown Specific Plan. For example, The Midtown Specific Plan specifies electric vehicle charging and bicycle parking requirements for residential development in accordance with the CALGreen Code. However, despite adherence to Mitigation Measures AQ-4 and AQ-5 and the provisions of the Midtown Specific Plan, long-term emissions would remain significant and unavoidable due to the magnitude of land use development associated with the Midtown Specific Plan.

The proposed multi-family residential project is consistent with the uses and development intensity included in the air quality analysis conducted for the Midtown Specific Plan

Program EIR. The conditions of approval for the proposed project require compliance with all mitigation measures applicable to the proposed project. The project applicant shall be required to demonstrate compliance with Mitigation Measures AQ-1, AQ-2, AQ-3, AQ-4, and AQ-5. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to short-term and long-term air quality emissions is not required.

Mitigation Measures:

AQ-1, AQ-2, AQ-3, AQ-4, and AQ-5 [Refer to Air Quality threshold a)]

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*d) Would the project expose sensitive receptors to substantial pollutant concentrations?*

Construction activities related to the buildout of the Midtown Specific Plan could expose sensitive receptors to substantial pollutant concentrations NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. Mitigation Measures AQ-1 and AQ-2 would reduce the Midtown Specific Plan's regional construction emissions and therefore also reduce the Specific Plan's localized construction-related criteria air pollutant emissions to the extent feasible. However, because existing sensitive receptors may be close to project-related construction activities, construction emissions generated by individual development projects have the potential to exceed SCAMQD's Localized Significance Thresholds (LSTs). Therefore, impacts related to exceedance of LSTs would remain significant and unavoidable.

In addition, the future development accommodated by the Midtown Specific Plan could site sensitive land uses in proximity to major air pollution sources. At buildout, the Midtown Specific Plan would result in construction of up to approximately 1,736 new residential units within the plan area. The residential units would be allowed near sources of toxic air contaminants (e.g., I-405), which have the potential to affect residents of these units. With implementation of Mitigation Measure AQ-6, this impact would be reduced to a level of less than significant.

The Midtown Specific Plan Program EIR concluded that future development under the Specific Plan would not result in the development of individual land uses that would expose sensitive receptors to substantial toxic air contaminant concentrations. Upon implementation of regulatory requirements, impacts would be less than significant.

The proposed multi-family residential project is consistent with the uses and development intensity included in the air quality analysis conducted for the Midtown Specific Plan Program EIR. The conditions of approval for the proposed project require compliance with all mitigation measures applicable to the proposed project. The project applicant shall be required to demonstrate compliance with Mitigation Measures AQ-1, AQ-2, AQ-3, and AQ-6. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to the exposure of sensitive receptors to substantial pollutant concentrations is not required.

Mitigation Measures:

AQ-1, AQ-2, and AQ-3 [Refer to Air Quality threshold a)]

AQ-6

Prior to issuance of building permits for development projects within the Midtown Specific Plan area that include sensitive uses (e.g., residential, day care centers), within the distances identified by the California Air Resources Board's (CARB) Air Quality and Land Use Handbook, the property owner/developer shall submit a health risk assessment (HRA) to the City of Long Beach Planning Bureau. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD).

If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand ( $1.0E-05$ ) or the appropriate noncancer hazard index exceeds 1.0, the following is required prior to issuance of building permits:

- The HRA shall identify the level of high-efficiency Minimum Efficiency Reporting Value (MERV) filter required to reduce indoor air concentrations of pollutants to achieve the cancer and/or noncancer threshold.
- Installation of high efficiency MERV filters in the intake of residential ventilation systems consistent with the recommendations of the HRA, shall be shown on plans. Heating, air conditioning, and ventilation (HVAC) systems shall be installed with a fan unit designed to force air through the MERV filter.
- To ensure long-term maintenance and replacement of the MERV filters in the individual units, the property owner/developer shall record a covenant on the property that requires ongoing implementation of the actions below. The form of the covenant shall be approved by the Long Beach City Attorney's Office prior to recordation.
  - The property owner/developer shall provide notification to all future tenants or owners of the potential health risk for affected units and the increased risk of exposure to diesel particulates when windows are open.
  - For rental units, the property owner/developer shall maintain and replace MERV filters in accordance with the manufacture's recommendations.
  - For ownership units, the Homeowner's Association shall incorporate requirements for long-term maintenance in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the MERV filter in accordance with the manufacturer's recommendations.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*e) Would the project create objectionable odors affecting a substantial number of people?*

Future development that would be accommodated under the Midtown Specific Plan would not emit objectionable odors that would affect a substantial number of people. Odors generated by new residential and nonresidential land uses under the Midtown Specific Plan are not expected to be significant or highly objectionable and would be required to comply with SCAQMD Rule 402, Nuisance. Additionally, emissions from construction equipment, such as diesel exhaust, and from volatile organic compounds from architectural coatings and paving activities, may generate odors; however, these odors would be temporary and are not expected to affect a substantial number of people. Therefore, impacts related to objectionable operational- and construction-related odors would be less than significant.

The proposed multi-family residential project would include only residential uses on the project site. The planned use for the site are not expected to emit objectionable odors and would be required to comply with SCAQMD Rule 402, Nuisance. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to objectionable odors is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

|  | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|--|--|--|---|
| <b>Impact Area: Biological Resources</b>   |  |  |   |
| -- 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? | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| 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?   | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| 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?   | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| 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?   | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |

- a) *Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*
- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*
- c) *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- e) *Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Midtown Specific Plan Program EIR found that the project plan area is generally graded, previously-disturbed, and highly urbanized, and, therefore, does not support sensitive habitats or sensitive animal species. In addition, implementation of the specific plan would not include effects on riparian habitat, sensitive natural community identified in local or regional plans, policies, regulations, or wetlands. The specific plan area contains some trees, but these are primarily ornamental street trees and small groupings of other ornamental trees that do not provide suitable nesting habitat for migratory birds. There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan in the City. Impacts related to candidate, sensitive, or special status species or migratory fish or wildlife species were determined to be less than significant. No impacts were identified related to riparian habitats, wetlands, and conflicts with local biological resource policies/ordinances and adopted habitat conservation plans.

The project site is vacant and unimproved, surrounded by public right-of-way and existing urban development. There are no trees located on the project site. As noted in the Midtown Specific Plan Program EIR, no conflicts with local biological resource policies, ordinances, or habitat conservation programs would be relevant to the proposed project. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects on biological resources is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**



| Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|--|--|---|
|--|--|---|

### Impact Area: Cultural Resources

-- Would the Project:

|  |                                       |                          |                                     |
|--|---------------------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?    | Less Than Significant with Mitigation | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | No Impact                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?        | No Impact                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                           | No Impact                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?*

One historical resource (Packard Motors Building at 205 Anaheim Street) and many other buildings greater than 50 years old are present in the Midtown Specific Plan area. Historic resources not currently designated by the City as historic landmarks could be affected by demolition or remodeling. Mitigation Measures CUL-1 and CUL-2 were included to mitigate potential impacts on known and/or unknown historical resources. Impacts related to historical resources were determined to be less than significant with mitigation incorporated.

The site of the proposed housing project is vacant and unimproved. The project site is not identified in Table 5.3-2 (List of Properties in the Midtown Specific Plan Area Recommended for Future Evaluation), in the Midtown Specific Plan Program EIR, therefore, Mitigation Measures CUL-1 and CUL-2 are not applicable to the proposed project. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects on historical resources is not required.

## Mitigation Measures:

~~CUL-1 — Future development or redevelopment projects on any of the properties listed in Table 5.3-2 (List of Properties in the Midtown Specific Plan Area Recommended for Future Evaluation) of the Midtown Specific Plan Program EIR (SCH No. 2015031034) shall require that an intensive-level historical evaluation of the property be conducted by the property owner or project applicant/developer; the evaluation shall be conducted in accordance with all applicable federal, state and local guidelines for evaluating historical resources. If based on the evaluation of the property it is determined that the proposed development or redevelopment project will have a substantial adverse effect on a historical resource (i.e. it would reduce its integrity to the point that it would no longer be eligible for inclusion in the California Register of Historical Resources or in the list of Long Beach Landmarks), then the provisions of Mitigation Measure CUL-2 shall be implemented by the property owner or project applicant/developer to eliminate or reduce the project's impact on historical resources.~~

~~CUL-2 — If based on the intensive-level historical evaluation of a property listed in Table 5.3-2 (List of Properties in the Midtown Specific Plan Area Recommended for Future Evaluation) of the Midtown Specific Plan Program EIR, as required under Mitigation Measure CUL-1, it is determined that the proposed development or redevelopment project will have a substantial adverse effect on a historical resource, the City of Long Beach shall require the property owner or project applicant/developer to implement the following measures:~~

### ~~A. Rehabilitation According to the Secretary of the Interior's Standards~~

~~1. If the proposed project includes renovation, alteration, or an addition to an historical resource (not including total demolition), then the property owner or project applicant/developer shall first seek to design all proposed renovation, alterations or additions to the historical resource in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation (Standards) found \_\_\_\_\_ at: <http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>.~~

~~a. Plans for rehabilitation shall be created under the supervision of a professional meeting the Department of Interior's Professional Qualifications Standards in Architectural History or Historic Architecture and be designed by a licensed architect with demonstrated historic preservation experience.~~

~~b. Plans shall be reviewed in the schematic design phase prior to any construction work, as well as in the 60 and 90 percent construction documents phases for compliance with the Standards by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards with demonstrated experience with the Standards compliance reviews.~~

- c. ~~The qualified historic preservation professional reviewing the plans shall create a technical memo at each phase and submit the memo to the City of Long Beach Development Services Department for concurrence.~~
- d. ~~At the discretion of the City, a detailed character-defining features analysis and/or historical resource treatment plan may need to be prepared for select historical resources by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards if the nature of the project or the significance of the property warrants such detailed analysis.~~
- e. ~~A qualified historic preservation professional shall monitor construction activities at key milestones to ensure the work to be conducted complies with the Standards. The milestones shall be agreed upon in advance by the City and property owner or project applicant/developer.~~
- f. ~~City staff and the qualified historic preservation professional shall review the finished rehabilitation/renovation in person upon completion.~~
- g. ~~In the event that any historical resource(s) are leased to third-party tenants and tenant improvements will be made, all of the terms of this stipulation shall be disclosed in the lease agreements, agreed upon in writing, and mutually enforced by the property owner or project applicant/developer and the City. The tenants shall not be permitted to conduct work that does not comply with the Standards.~~

~~B. Retention/On-Site Relocation For Proposed Demolition~~

- 1. ~~If the proposed project includes total demolition of a historical resource, the property owner or project applicant/developer shall first consider an alternative that retains the historical resource and incorporates it into the overall project development as an adaptive re-use of the building, as determined feasible.~~
- 2. ~~If the project site permits, the historical resource should be relocated to another location on the site and the resource should be re-incorporated into the overall project, as determined feasible.~~
- 3. ~~If the City determines that retention/onsite relocation of the historical resource is not feasible through a credible feasibility study, then the City shall elect to allow the property owner or project applicant/developer to move forward with the development/redevelopment project; however, all other requirements outlined in this mitigation measure shall apply.~~

### ~~C. Third Party Sale~~

- ~~1. If the City determines that retention or onsite relocation of the historical resource is not feasible, then the property owner or project applicant/developer shall offer any historical resources scheduled for demolition to the public for sale and offsite relocation by a third party:~~
  - ~~a. The historic resource(s) shall be advertised by the property owner or project applicant/developer at a minimum in the following locations: project applicant's/developer's website (if applicable); City of Long Beach website; Los Angeles Times website and print editions; Long Beach Press Telegram.~~
  - ~~b. The bidding period shall remain open for 60 days after the date of advertisement to allow adequate response time from interested parties.~~
  - ~~c. Qualified parties shall meet the following minimum qualifications to be considered a realistic buyer: possess adequate financial resources to relocate and rehabilitate the historical resource(s); possess an available location for the historical resource(s); and provide for a new use for the historical resource(s).~~
  - ~~d. The City shall approve the qualified buyer. If no such buyer comes forward within the allotted time frame, the City shall elect to issue a demolition permit for the historical resource. However, all other requirements outlined in this mitigation measure shall apply.~~

### ~~D. Recordation~~

- ~~1. The property owner or project applicant/developer shall create HABS-like Level II documentation prepared in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation. Information on the Standards and Guidelines is available at the following links:  
[http://www.nps.gov/history/local-law/arch\\_stnds\\_6.htm](http://www.nps.gov/history/local-law/arch_stnds_6.htm).  
<http://www.nps.gov/history/hdp/standards/index.htm>.~~
  - ~~a. Photographs with large format (4 inches by 5 inches or larger), black and white negatives of the property as a whole shall be provided; photocopies with large format negatives of select existing drawings, site plans, or historic views where available. A minimum of 12 views showing context and relationship of historical resources to each other shall be provided; aerial views showing the whole property shall also be provided.~~
  - ~~b. Written historical descriptive data, index to photographs, and photo key plan shall be provided.~~
  - ~~c. The above items shall be created by a historic preservation professional meeting the Secretary of the Interior's~~

~~Professional Qualifications Standards with demonstrated experience in creating HABS Level II documentation.~~

- ~~d. The above items shall be created prior to any demolition or relocation work.~~
- ~~e. The above items shall be distributed to the following repositories for use by future researchers and educators. Before submitting any documents, each of the following repositories shall be contacted to ensure that they are willing and able to accept the items: City of Long Beach Public Library; Long Beach Historical Society; Los Angeles Public Library; South Central Coastal Information Center at California State University, Fullerton; and City of Long Beach Development Services Department (building files).~~

#### ~~E. Salvage and Reuse~~

- ~~1. If offsite relocation of the historical resource by a third party is not accomplished, the property owner or project applicant/developer shall create a salvage and reuse plan identifying elements and materials of the resource that can be saved prior to any demolition work.~~
  - ~~a. The salvage and reuse plan shall be included in bid documents prepared for the site and shall be created by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards with demonstrated experience in creating salvage and reuse plans.~~
  - ~~b. Elements and materials that may be salvageable include windows; doors; roof tiles; decorative elements; bricks; foundation materials, and/or paving materials; framing members; furniture; lighting; and flooring materials, such as tiles and hardwood.~~
- ~~2. The property owner or project applicant/developer shall identify individuals, organizations, or businesses interested in receiving the salvaged items; these may include Habitat for Humanity Restore; other affordable housing organizations; or salvage yards. The following steps shall be taken by the property owner or project applicant/developer:~~
  - ~~a. Identification of the individuals, organizations, or businesses interested in receiving the salvaged items shall be completed in consultation with the City.~~
  - ~~b. Identification of the individuals, organizations, or businesses interested in receiving the salvaged items shall be accomplished by contacting potentially interested parties directly first.~~

~~c. Items to be salvaged shall be advertised in the following locations for a period of 60 days if none of the contacted parties are able to receive the items: Los Angeles Times and Long Beach Press Telegram.~~

~~3. The property owner or project applicant/developer shall remove salvageable items in the gentlest, least destructive manner possible. Historic materials and features shall be protected by storing salvaged items in indoor, climate and weather-controlled conditions until recipients can retrieve them. The removal of salvageable items shall be performed by a licensed contractor with demonstrated experience with implementing salvage and reuse plans.~~

~~F. Other Optional Interpretive, Commemorative, or Educational Measures~~

~~The City may also elect to require additional (optional) mitigation measures crafted in response to a specific historical resource's property type or significance, association with a specific historic person, or overall value to the community, as practical, so long as the measure is commensurate with the significance of the property and the level of impact to that resource. Such measures may include educational or interpretive programming; signage; incorporation of historical features into new developments or public art; contribution to a mitigation fund for future historic preservation efforts; written histories or contexts important to the public's understanding of the lost resource (presuming no other extant resource can interpret such significance); etc. The need for these additional measures shall be determined by the City on a case by case basis and incorporated into the conditions of approval for the project. Some measures may be made available to the public through museum displays, written reports at research repositories or made available through on or offsite signage or existing online multi-media sites.~~

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*
- c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

The Midtown Specific Plan Program EIR found that the specific plan area is located within an urbanized setting subject to extensive disturbance from the construction of existing buildings and existing underground infrastructure, have likely been previously disturbed. No archaeological or paleontological resources were identified during prior development activities within the plan area, and it is unlikely that any such resources would be uncovered or affected during grading and construction activities associated with future development accommodated by the Midtown Specific Plan. Furthermore, the plan area and immediate surroundings are not recognized as an area having the potential for

subsurface archeological or paleontological resources. No impacts related to archaeological or paleontological resources were identified in the Midtown Specific Plan Program EIR.

The project site was previously disturbed during construction of structures associated with former residential on the site. Under existing conditions, the project site is a vacant and unimproved lot. The proposed multi-family residential project consist of a 5-story building with 48 residential units over an at grade parking garage. As noted in the Midtown Specific Plan Program EIR, the plan area and immediate surroundings are not recognized as an area having the potential for subsurface archeological or paleontological resources. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects on archaeological or paleontological resources is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

- d) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

In the event of an accidental discovery of human remains are encountered during excavation and grading activities, California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 mandates the process to be followed. Specifically, California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the Midtown Specific Plan area, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The Midtown Specific Plan Program EIR determined that compliance with existing law would further ensure that significant impacts to human remains would not occur.

The proposed project would adhere to the requirements of California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 in the event of the accidental discovery of human remains. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to the disturbance of human remains is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

|  | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No<br>Change to<br>Midtown<br>Specific<br>Plan<br>Program<br>EIR |
|--|--|--|--|
| <b>Impact Area: Geology/Soils</b>  |  |  |  |
| -- Would the Project:  |  |  |  |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |  |  |  |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| ii) Strong seismic ground shaking?   | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| iii) Seismic-related ground failure, including liquefaction?   | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| iv) Landslides?  | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| b) Result in substantial soil erosion or the loss of topsoil?  | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| 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?   | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |



| Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No<br>Change to<br>Midtown<br>Specific<br>Plan<br>Program<br>EIR |
|--|--|--|
|--|--|--|

### Impact Area: Geology/Soils

-- Would the Project:

- a) *i) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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?*

Two areas of the Midtown Specific Plan area fall within the area designated as an Alquist-Priolo Earthquake Fault Zone associated with the Newport-Inglewood Fault. In accordance with Section 2621.5 of the California Public Resources Code and Section 3600 of the California Code of Regulations, any new structures for human occupancy under the Midtown Specific Plan would be prohibited along the fault trace. Additionally, in accordance with Sections 3603(a) and 3603(d) of the California Code of Regulations, application for a development permit for any project that lies within Newport-Inglewood Fault Zone (whether within 50 feet of the fault trace or within the overall fault zone) is required to be accompanied by a geotechnical investigation and report prepared by a geologist registered in the State of California; the geotechnical investigation and report is required to demonstrate that proposed buildings would not be constructed across an active fault and to determine whether a branch of the active fault passes through or next to the affected development site. With adherence to the state regulations, impacts resulting from an Alquist-Priolo Earthquake Fault Zone are not anticipated to occur.

The Project site is not located within and area designated as a Alquist-Priolo Earthquake Fault Zone. The Project will comply with all applicable provisions of the most recent CBC adopted by the City of Long Beach. During the Project's plan check phase Building Bureau personnel will verify compliance with all applicable ground motion standards and determine the need for a geotechnical investigation and geo-engineering study, as conditioned. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to rupture of a known earthquake fault is not required.

### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- ii) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*

Several active and potentially active faults are within or in the vicinity of the Specific Plan area. State regulations protecting human-occupied structures from geoseismic hazards are provided in the most recent (2013) CBC (California Code of Regulations, Title 24, Part 2) and CRC (California Code of Regulations, Title 24, Part 2.5). Furthermore, future development projects that would be accommodated by the Midtown Specific Plan would be required to have a site-specific geotechnical investigation report prepared by the project applicant's/developer's geotechnical consultant, in accordance with Appendix J Section J104 (Engineered Grading Requirements) of the CBC; such investigation would determine seismic design parameters for the site and the proposed building type per CBC requirements. Compliance with the design parameters and recommendations of the geotechnical investigation report would be required as a condition of a grading permit and/or building permit, and would be ensured by the City's Development Services Department during the development review and building plan check process. Impacts related to adverse effects related to strong seismic ground shaking were determined to be less than significant.

The proposed project will comply with all applicable provisions of the most recent CBC adopted by the City of Long Beach. During the Project's plan check phase Building Bureau personnel will verify compliance with all applicable ground motion standards and determine the need for a geotechnical investigation and geo-engineering study, as conditioned. Any investigation/study would comply with the listed specifications. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to strong seismic ground shaking is not required.

#### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*iii) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*

Future development projects that would be accommodated by the Midtown Specific Plan within the areas that lie within a Zone of Required Investigation for Liquefaction would be required to have a site-specific geotechnical investigation report prepared by the project applicant's/developer's geotechnical consultant in, in accordance with Appendix J Section J104 (Engineered Grading Requirements) of the CBC; such investigation would assess liquefaction potential onsite and provide any needed recommendations to minimize hazards from liquefaction. Compliance with the recommendations of the geotechnical investigation report would be required as a condition of a grading permit and/or building permit, and would be ensured by the City's Development Services Department during the development review and building plan check process. Impacts related to adverse effects related to seismic-related ground failure were determined to be less than significant.

As shown on Figure 5.4-4, Liquefaction Hazards Map, in the Midtown Specific Plan Program EIR, the project site is not located within a liquefaction zone of required investigation. The proposed project will be required to comply with all applicable provisions of the most recent CBC adopted by the City of Long Beach. During the proposed project's plan check phase Building Bureau personnel will verify compliance with all applicable ground motion standards and determine the need for a geotechnical investigation and geo-engineering study, as conditioned. Any investigation/study would comply with the listed specifications. Therefore, the proposed project would be consistent with the findings

included in the Midtown Specific Plan Program EIR, and further study of potential effects related to seismic-related ground failure is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*iv) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides??*

The Midtown Specific Plan Program EIR found that the relatively level site conditions with no significant slopes, except for the slopes on the adjacent Signal Hill in the northern portion of the plan area, and the extent of developed lands in the Specific Plan area would avoid potential impacts associated with landslides. The Specific Plan area is not an area susceptible to landslides [State of California Seismic Hazard Zones Map (Long Beach Quadrangle)]. Therefore, no impacts related to landslides were identified.

The project site is relatively flat and is not in the vicinity of slopes on Signal Hill. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to landslides is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*b) Would the project result in substantial soil erosion or the loss of topsoil?*

Future development within the Midtown Specific Plan area would be required to comply with the NPDES permit by preparing and implementing a SWPPP specifying BMPs for minimizing pollution of stormwater with soil and sediment during project construction. Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion from project-related grading and construction activities. Therefore, impacts related to substantial soil erosion or the loss of topsoil would be less than significant.

The proposed project will be required to comply with all applicable provisions of the NPDES permit. The proposed mixed-use project would not create any new stormwater discharge conditions not anticipated in the Midtown Specific Plan Program EIR. BMPs or equivalent measures to control pollutant runoff will be included within the project's grading and construction plans, if applicable. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to soil erosion or the loss of topsoil is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

*d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Development under the Midtown Specific Plan could subject persons and structures to hazards arising from collapsible soils, ground subsidence, or expansive soils. However, future development projects that would be accommodated by the Midtown Specific Plan

would be required to have a site-specific geotechnical investigation report prepared by the project applicant's/developer's geotechnical consultant, in accordance with Appendix J Section J104 (Engineered Grading Requirements) of the CBC; such investigation would assess hazardous soil conditions onsite and would provide recommendations as needed to minimize these potential soils hazards. Compliance with the recommendations of the geotechnical reports is required as a condition of a grading permit and/or building permit, and would be ensured by the City's Development Services Department during the development review and building plan check process. Impacts resulting from ground subsidence are not anticipated to be significant.

The proposed project will be required to comply with all applicable provisions of the most recent CBC adopted by the City of Long Beach. During the proposed project's plan check phase Building Bureau personnel will verify compliance with all applicable ground motion standards and determine the need for a geotechnical investigation and geo-engineering study, as conditioned. Any investigation/study would comply with the listed specifications. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to ground subsidence is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

The Midtown Specific Plan Program EIR found that all development in the project area would be served by the City's sewer lines and wastewater disposal systems, and no impact would occur.

The proposed project would be served by the City's sewer lines and wastewater disposal systems. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to soils incapable of adequately supporting the use of septic tanks is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area: Greenhouse Gas  
Emissions**

-- Would the Project:

- |   |                             |                          |   |
|---|-----------------------------|--------------------------|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?     | Significant and Unavoidable | <input type="checkbox"/> | ■ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases? | Less Than Significant       | <input type="checkbox"/> | ■ |

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Buildout of the Midtown Specific Plan would result in a substantial increase in GHG emissions compared to existing conditions and would not meet the South Coast Air Quality Management District's Year 2035 Target efficiency metric of 2.4 MTCO<sub>2</sub>e/year/SP or the long-term GHG reduction goal under Executive Order S-3-05. Mitigation Measures AQ-4 and AQ-5 would encourage and accommodate use of alternative-fueled vehicles and nonmotorized transportation and ensure that GHG emissions from the buildout of the Midtown Specific Plan would be minimized. However, additional statewide measures would be necessary to reduce GHG emissions under the Specific Plan to meet the long-term GHG reduction goals under Executive Order S-3-05, which identified a goal to reduce GHG emissions to 80 percent below 1990 levels by 2050, and Executive Order B-30-15, which identified a goal to reduce GHG emissions to 40 percent below 1990 levels by 2030. The new Executive Order B-30-15 requires CARB to prepare another update to the Scoping Plan to address the 2030 target for the state. At this time, there is no plan past 2020 that achieves the long-term GHG reduction goal established under Executive Order S-3-05 or the new Executive Order B-30-15. As identified by the California Council on Science and Technology, the state cannot meet the 2050 goal without major advancements in technology (CCST 2012). Since no additional statewide measures are currently available, this impact would remain significant and unavoidable.

The proposed project involves construction and operation of a five-story residential building. Project operations would involve vehicular trips and other activities that would increase generation of GHG emissions. The Midtown Specific Plan determined that GHG impacts would be significant and unavoidable, but, through incorporation of Mitigation Measures AQ-4 and AQ-5, as well as provisions of the Midtown Specific Plan (e.g.

requirements for electric vehicle charging and bicycle parking requirements for residential development), anticipated projects would fall within the scope of the Midtown Specific Plan Program EIR analysis. With these mitigation measures incorporated, operation of the proposed project would not substantially increase the severity of GHG operation impacts beyond that identified in the Midtown Specific Plan Program EIR and no new impacts beyond those identified in the Midtown Specific Plan Program EIR would occur. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects of greenhouse gas emissions is not required.

Mitigation Measures:

AQ-4 and AQ-5 [Refer to Air Quality threshold a)]

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The Midtown Specific Plan would substantially improve the efficiency of the Midtown Specific Plan area (11 percent reduction in GHG emissions per service population based on Table 5.5-5 based on CalEEMod Version 2013.2.2. Based on 2035 transportation emission rates) even though the number of people who live or work within the area would increase by 37 percent. The new buildings under the Midtown Specific Plan would comply with the latest California Building Standards Codes, therefore resulting in significantly more energy efficiency than the existing buildings currently in the Midtown Specific Plan area. Therefore, the Midtown Specific Plan would not conflict with statewide programs adopted for the purpose of reducing GHG emissions and impacts are not anticipated to be significant. In addition, the Midtown Specific Plan would implement land use strategies that would promote the increased use of alternative forms of transportation and a reduction in VMT, which were determined to be consistent with SCAG's 2012-2035 RTP/SCS Goals. Impacts related to the conflicts between the Midtown Specific Plan and applicable GHG plans, policies or regulations were determined to be less than significant.

The proposed project involves construction and operation of a multi-family residential project. Since this project would be implemented in conformity with the Midtown Specific Plan and would not increase the severity of previously identified potential conflicts with GHG plans, policies and regulations, the proposed project would not introduce new impacts. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to conflicts with applicable GHG plans, policies or regulations is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

|  | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|--|--|--|---|
| Impact Area:<br><b>HAZARDS AND HAZARDOUS MATERIALS</b>   |  |  |   |
| -- Would the Project:  |  |  |   |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| 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?  | Less Than Significant with Mitigation                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | Less Than Significant with Mitigation                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| 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?                                   | Less Than Significant with Mitigation                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| 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? | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | No Impact  | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

Impact Area:  
**HAZARDS AND HAZARDOUS  
MATERIALS**

-- Would the Project:

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than  
Significant

☐

☒

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact

☐

☒

a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The use, storage, transport, and disposal of hazardous materials during construction and during operation of future development in the Specific Plan area would be required to comply with existing regulations of several agencies, including the California Department of Toxic Substances Control, US Environmental Protection Agency, California Division of Occupational Safety and Health, California Department of Transportation, County of Los Angeles Department of Environmental Health, and Long Beach Fire Department (LBFD). Compliance with applicable laws and regulations governing the use, storage, transport, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. In addition, future uses and development associated with the Midtown Specific Plan would be constructed and operated with strict adherence to all emergency response plan requirements set forth by the City of Long Beach and LBFD. Impacts related to hazards to the public or the environment arising from the routine use of hazardous materials were determined to be less than significant.

The proposed project may consist of construction or operational activities that may involve the use of hazardous materials. The proposed project would be required to demonstrate compliance with existing rules and regulations and adhere to all emergency response plan requirements set forth by the City of Long Beach and LBFD. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan



Program EIR, and further study of effects related to the routine use of hazardous materials is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The Midtown Specific Plan Program EIR found that some types of commercial and residential land uses envisioned for the project area would not typically contain businesses involved in the transport, use, or disposal of substantial quantities of hazardous materials. Operation of residential and or commercial uses would involve the use of small quantities of hazardous materials for cleaning and maintenance purposes. However, some projects may consist of construction activities would involve full or partial demolition of existing structures, which, due to their age, may contain asbestos and lead-based paints and materials. The use, storage, transport, and disposal of hazardous materials during construction and during operation of future development in the Specific Plan area would be required to comply with existing regulations of several agencies. Compliance with applicable laws and regulations would ensure that all potentially hazardous materials associated with future development accommodated by the Midtown Specific Plan are used and handled in an appropriate manner and would minimize the potential for safety impacts. In addition, future uses and development associated with the Midtown Specific Plan would be constructed and operated with strict adherence to all emergency response plan requirements set forth by the City of Long Beach and LBFD.

Grading and demolition activities associated with future development projects under the Midtown Specific Plan may result in exposure to contaminated soils, asbestos-containing materials (ACM), and lead-based paints, as well as other building materials containing lead. Mitigation Measure HAZ-1 requires a ACM and LBP survey of existing structures on sites proposed for development in the Specific Plan area. In addition, all abatement of ACM and LBP encountered during future demolition activities would be required to be conducted in accordance with all applicable laws and regulations. Mitigation Measure HAZ-2 requires the preparation of a Phase I ESA for future development projects it mitigate impacts from potential contaminated soils. Impacts related to the release of hazardous materials and/or the emission or handling of hazardous materials within one-quarter mile of a school site were determined to be less than significant with mitigation incorporated.

The proposed project may consist of construction or operational activities that may involve the use of hazardous materials. The proposed project would be required to demonstrate compliance with existing rules and regulations and adhere to all emergency response plan requirements set forth by the City of Long Beach and LBFD. In addition, a Phase I ESA was prepared in October 2017 for the project site. The Phase I ESA determined that the past use of the site did not identify the use of hazardous materials or contaminated soils. The proposed project has demonstrated compliance with Midtown Specific Plan Program EIR. Mitigation Measure HAZ-2. There no existing structures on the project site, and, therefore,

Mitigation Measure HAZ-1 is no longer applicable to the proposed project. The proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to hazardous materials sites is not required.

Mitigation Measures:

~~HAZ-1 Prior to the issuance of demolition permits for any buildings or structures that would be demolished in conjunction with individual development projects that would be accommodated by the Midtown Specific Plan, the project applicant shall conduct the following inspections and assessments for all buildings and structures onsite and shall provide the City of Long Beach Development Services Department with a copy of the report of each investigation or assessment.~~

- ~~• The project applicant shall retain a California Certified Asbestos Consultant (CAC) to perform abatement project planning, monitoring (including air monitoring), oversight, and reporting of all asbestos-containing materials (ACM) encountered. The abatement, containment, and disposal of all ACM shall be conducted in accordance with the South Coast Air Quality Management District's Rule 1403 and California Code of Regulation Title 8, Section 1529 (Asbestos).~~
- ~~• The project applicant shall retain a licensed or certified lead inspector/assessor to conduct the abatement, containment, and disposal of all lead waste encountered. The contracted lead inspector/assessor shall be certified by the California Department of Public Health (CDPH). All lead abatement shall be performed by a CDPH-certified lead supervisor or a CDPH-certified worker under the direct supervision of a lead supervisor certified by CDPH. The abatement, containment, and disposal of all lead waste encountered shall be conducted in accordance with the US Occupational Safety and Health Administration Rule 29, CFR Part 1926, and California Code of Regulation, Title 8, Section 1532.1 (Lead).~~
- ~~• Evidence of the contracted professionals attained by the project applicant shall be provided to the City of Long Beach Development Services Department. Additionally, contractors performing ACM and lead waste removal shall provide evidence of abatement activities to the City of Long Beach Building and Safety Bureau.~~

HAZ-2 Prior to the issuance of grading permits for individual development projects that would be accommodated by the Midtown Specific Plan, the project applicant shall submit a Phase I Environmental Site Assessment (ESA) to identify environmental conditions of the development site and determine whether contamination is present. The Phase I ESA shall be prepared by a Registered Professional Engineer and in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527.05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. If recognized environmental conditions related to soils are identified in the Phase I ESA, the project applicant shall perform soil sampling as a part of a Phase II ESA. If contamination is found at

significant levels, the project applicant shall remediate all contaminated soils in accordance with state and local agency requirements (California Department of Toxic Substances Control, Regional Water Quality Control Board, Long Beach Fire Department, etc.). All contaminated soils and/or material encountered shall be disposed of at a regulated site and in accordance with applicable laws and regulations prior to the completion of grading. Prior to the issuance of building permits, a report documenting the completion, results, and any follow-up remediation on the recommendations, if any, shall be provided to the City of Long Beach Development Services Department evidencing that all site remediation activities have been completed.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- 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?*

Individual development projects accommodated by the Midtown Specific Plan would include ground disturbance that could encounter existing hazardous materials in site soils from listed hazardous materials sites. The Midtown Specific Plan Program EIR identified documented hazardous materials releases in the Specific Plan area, but potential impacts exist from hazardous substance contamination from historical operations on a site. Future development would be required (Mitigation Measure HAZ-2) to prepare a Phase I Environmental Site Assessment (ESA) to determine whether recognized environmental conditions (RECs) are on the proposed development site. Where contaminate levels are identified above screening levels, a health risk assessment would be required. If health risks from environmental contamination are identified, cleanup of such contamination would be required before the City would issue a certificate of occupancy for such project. Impacts related to hazardous materials sites were determined to be less than significant with mitigation incorporated.

Refer to response VIII, a) and c). Phase I ESA reports were prepared for the project site. The Phase I ESA determined that there was no evidence of a significant release to the subsurface in the areas assessed that would represent a risk to human health or groundwater at the site and no further assessment is required. The proposed project has demonstrated compliance with Midtown Specific Plan Program EIR Mitigation Measure HAZ-2. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to hazardous materials sites is not required.

Mitigation Measure:

HAZ-2 [Refer to Hazards and Hazardous Materials thresholds a) and c)]

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- e) *Would the project, 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?*

- f) *Would the project, for a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

Most of the Specific Plan area north of Pacific Coast Highway is under imaginary surfaces regulating obstructions to navigable airspace surrounding Long Beach Airport pursuant to Federal Aviation Administration (FAA) Part 77 regulations. The maximum building heights provided in the Midtown Specific Plan development standards comply with the height limitations in the FAA Part 77 regulations. No impacts would occur related to hazards associated with nearby airports or private airstrips.

The proposed project is consistent with the development standards in the Midtown Specific Plan, and the proposed building height would not exceed the height limitations in the FAA Part 77 regulations. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to hazards associated with nearby airports or private airstrips is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- g) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Although construction of physical improvements to Long Beach Boulevard under the Midtown Specific Plan may result in temporary lane closures or rerouting of vehicular traffic, police and fire services could be provided without interruption. All construction activities would be required to be performed per the City's and LBFD's standards and regulations. Future development under the Midtown Specific Plan would be required to provide the necessary on- and offsite access and circulation for emergency vehicles and services during the construction and operation phases. Impacts related to the interference with City of Long Beach or Los Angeles County's emergency response or evacuation plans would be less than significant.

The proposed project does not propose to alter existing street patterns and would not impair implementation of or physically interfere with an adopted response or evacuation plan. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to interference with emergency response or evacuation plans is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- h) *Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The Midtown Specific Plan area is in a highly urbanized, built-out portion of the City and is outside of fire hazard severity zones designated by the California Department of Forestry and Fire Protection (CAL FIRE). Future development under the Midtown Specific

Plan would not pose wildfire-related hazards to people or structures. No impacts were identified related to the exposure of people or structures to wildland fires.

The proposed project is on a vacant and unimproved lot surrounded by existing development. The project site does not contain wildlands, nor is it adjacent to wildlands. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to wildland fires is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

|   | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|---|--|--|---|
| <b>Impact Area: Hydrology and Water Quality</b>   |  |  |   |
| -- Would the Project:   |  |  |   |
| a) Violate any water quality standards or waste discharge requirements?   | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planner uses for which permits have been granted)? | Less Than Significant                                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | Less Than Significant                                    | <input checked="" type="checkbox"/>  | <input checked="" type="checkbox"/>                                   |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | Less Than Significant with Mitigation                    | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area: Hydrology and Water  
Quality**

-- Would the Project:

- |   |                                       |                          |   |
|---|---------------------------------------|--------------------------|---|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | Less Than Significant with Mitigation | <input type="checkbox"/> | ■ |
| f) Otherwise substantially degrade water quality?   | Less Than Significant                 | <input type="checkbox"/> | ■ |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?                  | No Impact                             | <input type="checkbox"/> | ■ |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | No Impact                             | <input type="checkbox"/> | ■ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?                    | No Impact                             | <input type="checkbox"/> | ■ |
| j) Inundation by seiche, tsunami, or mudflow?   | No Impact                             | <input type="checkbox"/> | ■ |
- a) *Would the project violate any water quality standards or waste discharge requirements?*

**Construction Phase**

Runoff during the construction-phase of development projects that would be accommodated by the Midtown Specific Plan may cause deterioration of water quality of downstream receiving waters if construction-related sediment or pollutants wash into the storm drain system and facilities. The General Construction Permit [GCP; Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System (NPDES) Permit No.

CAS000002], and its subsequent revisions (Order No. 2012-0006-DWQ), regulates stormwater and non-stormwater discharges associated with construction activities disturbing one acre or greater of soil. Prior to the issuance of grading permits, applicants of individual development projects of one acre or greater of soil disturbance would be required to comply with the most current GCP and associated local NPDES regulations to ensure that the potential for soil erosion is minimized on a project-by-project basis.

In accordance with the GCP, a Storm Water Pollution Prevention Plan (SWPPP) must be prepared and implemented for construction projects that include one acre or more of soil disturbance, and revised as necessary, as administrative or physical conditions change. Prior to commencement of construction activities for development projects within the Midtown Specific Plan area, the project-specific SWPPP(s) are required to be prepared in accordance with the site-specific sediment risk analyses based on the grading plans, with erosion and sediment controls proposed for each phase of construction for the individual development projects. With compliance of the most current GCP and associated local NPDES regulations, water quality and waste-discharge impacts from project-related grading and construction activities are not anticipated to occur.

#### Operation Phase

With the proposed land use changes, development under the Midtown Specific Plan may result in long-term impacts to the quality of storm water and urban runoff, subsequently impacting downstream water quality. It can potentially create new sources for runoff contamination through changing land uses.

To help prevent long-term impacts associated with development that would occur under the Midtown Specific Plan and in accordance with the requirements of the City of Long Beach and its MS4 permit (Order No. R4-2014-0024), new development and significant redevelopment projects must incorporate site design/ low-impact development (LID) and source control BMPs to address post-construction storm water runoff management. Source control BMPs reduce the potential for pollutants to enter runoff. Long-term surface water quality of runoff from the Midtown Specific Plan area would be expected to improve over existing conditions as more LID BMPs are implemented throughout the Midtown Specific Plan area. This is considered an overall beneficial effect of the Midtown Specific Plan and no significant adverse water quality impacts is anticipated to occur.

The project site totals 27,000 square feet of area which is less than one acre in size. The proposed project would be required to comply with all applicable regulations regarding runoff during construction and operation of the project. The proposed housing project would not create any potential violations of water quality standards or waste discharge requirements not anticipated in the Midtown Specific Plan Program EIR. Site design/LID and source control BMPs or equivalent measures to control pollutant runoff will be included within the project's grading and construction plans, if applicable. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to violations of water quality standards or waste discharge requirements is not required.

#### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- b) *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or*



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

New development and redevelopment projects would retain the stormwater volume from an 85th-percentile 24-hour storm onsite. Therefore, some of the stormwater generated by increased impervious areas of development that would be accommodated by the Midtown Specific Plan would be infiltrated into the soil. Additionally, the Midtown Specific Plan area would have a minimal effect on usable groundwater reserves because it is in a largely developed area of the City and is surrounded by urban uses. Groundwater is also not relevant to the Midtown Specific Plan area because infiltration will not be used, the plan area is not in or near any groundwater recharge basin, and neither the Midtown Specific Plan area nor the surrounding area is used for intentional groundwater recharge.

The City of Long Beach forecasts that it will have adequate water supplies to meet water demands through the 2015-2035 period without exceeding its water rights to Central Subbasin groundwater. Therefore, the Midtown Specific Plan would not substantially interfere with groundwater supplies or groundwater recharge, and impacts are not anticipated significant.

The proposed project would be required to comply with all applicable regulations with regard to retaining stormwater volume onsite. The proposed housing project would not deplete groundwater supplies not anticipated in the Midtown Specific Plan Program EIR. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to the depletion of groundwater supplies or interference with groundwater recharge is not required.

#### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

#### **Construction Phase**

The construction contractor of individual development projects that would be accommodated by the Midtown Specific Plan would be required to prepare and implement an SWPPP pursuant to the GCP during grading and construction activities. The SWPPP would specify BMPs that construction contractors would implement prior to and during grading and construction activities to minimize erosion and siltation impacts on- and offsite. BMPs would include but are not limited to: erosion control BMPs, such as hydraulic mulch, soil binders, and geotextiles and mats; the protection of storm drain inlets with an impoundment (i.e., gravel bags) around the inlet and equipped with a sediment filter such as a fiber roll; and stabilization of all construction entrance/exit points to reduce the tracking of sediments onto adjacent streets. Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion and siltation from project-related grading and construction activities. Therefore, the construction phase of development projects that would be accommodated by the Midtown Specific Plan would not result in a substantial alteration of the existing drainage pattern of the plan area in a manner that would result in substantial erosion or siltation on- or offsite.

## Operation Phase

Development that would be accommodated by the Midtown Specific Plan is not anticipated to substantially change the drainage pattern on individual development sites or the overall Specific Plan area. Under proposed conditions, runoff on individual development sites and the overall Specific Plan area would be conveyed similar to existing conditions. Individual development sites would also consist of impervious surfaces (e.g., asphalted driveways, building pads, concrete walkways) and pervious surfaces (e.g., common area landscaping, open space lawn areas). There would be no substantial areas of bare or disturbed soil onsite that would be vulnerable to erosion or siltation. All areas would either be paved or landscaped.

To help prevent long-term impacts associated with development that would occur under the Midtown Specific Plan and in accordance with the requirements of the City of Long Beach and its MS4 permit (Order No. R4-2014-0024), new development and significant redevelopment projects must incorporate site design/LID and source control BMPs, which would help prevent post-development erosion and siltation on- or offsite. During their review of submitted grading plans, City staff would ensure that the minimum requirements to regulate grading and earthwork are incorporated into the development project to control the quality of drainage and runoff (including erosion and siltation) from the development site. Therefore, the operational phase of development projects that would be accommodated by the Midtown Specific Plan would not result in a substantial alteration of the existing drainage pattern of the plan area in a manner that would result in substantial erosion or siltation on- or offsite.

The proposed project would be required to comply with all applicable regulations regarding the GCP and the requirements of the City of Long Beach and its MS4 permit. The proposed housing project would place structures on most the project site and there would be no substantial areas of bare or disturbed soil onsite that would be vulnerable to erosion or siltation. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to erosion or siltation on- or offsite is not required.

### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- d) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course if a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Based on the relatively high existing impervious conditions and proposed land uses of the Midtown Specific Plan area, which generally would have proportional impervious areas equal to or less than existing conditions, project runoff is not anticipated to increase over existing conditions. Buildout of the Midtown Specific Plan would result in decreases in impervious areas or no net change in amounts of impervious areas in Districts throughout the plan area.

The existing City and Los Angeles County Flood Control District (LACFCD) storm drain systems serving the Midtown Specific Plan area are not anticipated to change as a result of the Midtown Specific Plan, thereby making the 2005 MPD Update applicable to the

proposed conditions (buildout of the Midtown Specific Plan). The City of Long Beach uses peak flow from a 10-year storm as its threshold below which existing drainage facilities require upsizing. In addition to the storm drain improvement recommendations outlined in the 2005 MPD Update, the City of Long Beach Public Works Department also identified the upsizing of all storm drain facilities within the Midtown Specific Plan area that are less than 24-inches to a minimum of 24-inches. The upsizing of these storm drain facilities would occur as development projects pursuant to the Midtown Specific Plan are implemented.

Buildout of the Midtown Specific Plan would require drainage improvements specified in Mitigation Measures HYD1 through HYD-4, which are consistent with those outlined in the 2005 MPD Update and identified by the City of Long Beach Public Works Department. Additionally, through the incorporation of site design, LID features and BMPs as required under the City's SUSMP/LID design requirements, the individual development projects that would be accommodated by the Midtown Specific Plan would effectively retain or treat the 85th percentile 24-hour storm water runoff. Therefore, the Midtown Specific Plan would not substantially alter the existing drainage pattern of the Midtown Specific Plan area or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, nor would it create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems.

The project applicant will have conducted an analysis of the existing storm drain facilities that would serve the proposed housing project. The proposed project would be required to comply with all applicable regulations regarding runoff and discharge. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to alteration of the existing drainage pattern of the site or area is not required.

#### Mitigation Measures:

HYD-1      Prior to the issuance of grading or building permits for any development or redevelopment projects pursuant to the Midtown Specific Plan, the City of Long Beach shall ensure that the following drainage improvements are fully funded for and implemented:

- Any development or redevelopment project that would impact existing storm drain facilities within the Midtown Specific Plan area (public and private) that is less than 24-inches in size shall fully fund upsizing of such facilities to a minimum 24-inch pipe size or greater dependent upon the location and size of the development or redevelopment project. The increase in pipe size will serve to reduce localized flooding.
- Any development or redevelopment project that would impact the two segments of City of Long Beach's storm drains in Willow Street for which improvements were recommended by the 2005 Master Plan of Drainage Update shall fully fund upsizing of those storm drain segments to 36 inches or other final size as prescribed by City of Long Beach Public Works Department.

HYD-2      Prior to the issuance of grading or building permits for any development or redevelopment projects pursuant to the Midtown Specific Plan, project

applicants/developers of such projects shall prepare a site-specific hydrology and hydraulic study of the onsite and immediate offsite storm drain systems to determine capacity and integrity of the existing systems. The hydrology and hydraulic study shall be submitted to City of Long Beach Public Works Department for review and approval.

- HYD-3      The project applicant/developer of each development or redevelopment project that would be accommodated by the Midtown Specific Plan shall request the “allowable discharge rate” – which limits peak flow discharges as compared to existing conditions based on regional flood control constraints – from the Los Angeles County Department of Public Works, and shall comply with such discharge rate. Compliance with the “allowable discharge rate” shall be demonstrated in the hydrology and hydraulic study to be completed pursuant to Mitigation Measure HYD-2.
- HYD-4      The project applicant/developer, architect, and construction contractor for each development or redevelopment project that would be accommodated by the Midtown Specific Plan shall incorporate low-impact development (LID) best management practices (BMPs) within the respective project, providing for water quality treatment and runoff reduction and/or detention in accordance with local stormwater permit requirements.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- e) *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Refer to the discussion under Hydrology and Water Quality threshold d), above. The Midtown Specific Plan would not substantially alter the existing drainage pattern of the Midtown Specific Plan area or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, nor would it create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. Prior to the issuance of grading permits, applicants of individual development projects of one acre or greater of soil disturbance would be required to comply with the most current GCP and associated local NPDES regulations to ensure that the potential for soil erosion is minimized on a project-by-project basis.

The proposed project would be required to comply with all applicable regulations regarding runoff and discharge. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to alteration of the existing drainage pattern of the site or area is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- f) *Would the project otherwise substantially degrade water quality?*

Prior to commencement of construction activities for development projects within the Midtown Specific Plan area, the project-specific SWPPP(s) are required to be prepared in accordance with the site-specific sediment risk analyses based on the grading plans, with erosion and sediment controls proposed for each phase of construction for the individual development projects. The phases of construction will define the maximum amount of soil disturbed, the appropriate sized sediment basins and other control measures to accommodate all active soil disturbance areas, and the appropriate monitoring and sampling plans.

Therefore, long-term surface water quality of runoff from the Midtown Specific Plan area would be expected to improve over existing conditions as more LID BMPs are implemented throughout the Midtown Specific Plan area. This is considered an overall beneficial effect of the Midtown Specific Plan and no significant adverse water quality impacts is anticipated to occur.

The project site totals 27,000 square feet of area which is less than one acre in size. The proposed project would be required to comply with all applicable regulations regarding runoff during construction and operation of the project. The proposed housing project would not create any new conditions not anticipated in the Midtown Specific Plan Program EIR. Site design/LID and source control BMPs or equivalent measures to control pollutant runoff will be included within the project's grading and construction plans, if applicable. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to the degradation of water quality requirements is not required.

#### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?*
- h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

The Midtown Specific Plan Program EIR determined that there are no areas in the Specific Plan area within a 100-year flood hazard area. Portions of the Specific Plan area are mapped in Zone X of Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency, which are moderate flood hazard areas between the limits of the base flood and the 0.2 percent annual chance (or 500-year) flood. No impact would occur related to risks associated with a 100-year flood.

The project site is not within a 100-year flood hazard area. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to risks associated with a 100-year flood is not required.

#### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

The Specific Plan area is not located near a body of water that includes a levee or dam. As noted above, the Midtown Specific Plan area is not located within a 100-year flood zone. No impacts would occur related to significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.

The project site is not located near a body of water that includes a levee or dam or within a 100-year flood hazard area. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to risks associated with the failure of a levee or dam is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

*j) Would the project experience inundation by seiche, tsunami, or mudflow?*

The Midtown Specific Plan Program EIR determined that there are no water storage facilities or bodies of water on or near the plan area that could pose a flood hazard to the site due to a seiche or failure of an aboveground reservoir. In addition, the Specific Plan area is approximately two miles inland from the Pacific Ocean, outside of the Tsunami Hazard Zone identified by the California Emergency Management Agency (Cal EMA 2014). Furthermore, the Midtown Specific Plan area is relatively flat and would not be susceptible to any mudflow. No impacts related to inundation by seiche, tsunami, or mudflow would occur.

The proposed project would not alter the existing physical conditions of the plan area described in the Midtown Specific Plan Program EIR, nor would it create any new significant impacts not identified in the EIR. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects of inundation by seiche, tsunami, or mudflow is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area: Land Use / Planning**

-- Would the Project:

a) Physically divide an established community?

No Impact

☐

☒

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than  
Significant with  
Mitigation

☐

☒

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact

☐

☒

*a) Would the project physically divide an established community?*

The intent of the Midtown Specific Plan is to revitalize the area and create a unique sense of place. The Specific Plan would be developed within the confines of the Midtown Specific Plan area and would not introduce roadways or other infrastructure improvements that would bisect or transect the surrounding communities. The residential and commercial uses of the Specific Plan would also be compatible with and similar to the surrounding land uses. Implementation of the Midtown Specific Plan would not divide an established community and no adverse impact would occur.

The proposed multi-family residential project would not alter the existing street and circulation patterns. Additionally, the proposed project features a code-compliant, context-sensitive design that integrates the project into the land use character of Long Beach Boulevard and the surrounding area. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to physical division of an established community is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

- b) *Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The Midtown Specific Plan Program EIR included an analysis of the Specific Plan's consistency with the applicable City plans that have been adopted for the purpose of avoiding or mitigating and environmental effect. For projects that are not consistent with the current General Plan designation, Mitigation Measure LU-1 would require the City to undertake an amendment to the City's General Plan Land Use and Mobility elements within a certain time frame after adoption of the Specific Plan. With implementation of mitigation, impacts related to conflicts with any applicable land use plan, policy, or regulation would be less than significant.

The General Plan (1989) designation for the project site is LU-3B, Moderate Density Residential District. The proposed housing project would not be consistent with the land use designation for the project site. A General Plan Amendment will be processed to change the land use designation to LU-7 Mixed Use. The project-related improvements are limited to the project site with improvements to the sidewalk and alley directly adjacent to the site. As the proposed project would require a general plan amendment, as required in Mitigation Measure LU-1, the requirements of Mitigation Measure LU-1 are required for approval of the proposed project. Upon the approval of the General Plan Amendment, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to conflicts with applicable land use plans, policies, or regulations is not required.

- LU-1 If the current General Plan Land Use Element update being undertaken by the City of Long Beach, which includes revisions to the land use designations of the current Land Use Map (including the area covered by the Midtown Specific Plan), is not adopted within 12 months after adoption of the Midtown Specific Plan, the City shall initiate a General Plan Amendment to achieve consistency between the General Plan Land Use Element and the Midtown Specific Plan. Specifically, the General Plan Amendment shall require an update to the current Land Use Map in order to change the current General Plan land use designations of the Midtown Specific Plan area to allow for uses and densities set forth in the Midtown Specific Plan.

A future General Plan Amendment may also require revisions to tables and exhibits in the Mobility Element pertaining to roadway classifications and closures associated with the Midtown Specific Plan. The specific roadway closures under the Midtown Specific Plan include 25th Street, 23rd Street, 21st Street, and 15th Street east and west of Long Beach Boulevard; Rhea Street east of Long Beach Boulevard; Esther Street east of Long Beach Boulevard; and 14th Street east of Long Beach Boulevard. Roadway amendments will be processed as the time of individual roadway character change projects.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**



*c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?*

The Midtown Specific Plan Program EIR found that the Specific Plan would not conflict with a habitat or natural communities conservation plan, and no impact would occur.

The proposed project is within the Midtown Specific Plan area and is consistent with the development standards and provisions of the Specific Plan. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to conflicts with applicable habitat conservation plans or natural community conservation plans is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area: Mineral Resources**

-- Would the Project:

- 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?
- 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?

No Impact



No Impact



- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No active mining operations exist in the City of Long Beach. The Midtown Specific Plan area and surrounding area are mapped and do not contain significant mineral deposits. Implementation of the Specific Plan would not cause the loss of availability of mineral resources valuable to the region or state, and no impact would occur.

The proposed project is within the Midtown Specific Plan area, which does not contain significant mineral deposits. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to mineral resources is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The Midtown Specific Plan area and the surrounding area are in a highly-urbanized part of the City. While oil fields are present in and around the City, development in accordance with the Midtown Specific Plan would occur on already developed sites, and would not expand into mineral resource recovery sites or oil fields. Implementation of the Specific Plan would not cause a loss of availability of mining sites, oil fields, or gas fields, and no impact would occur.

The proposed project is not located on a locally important mineral resource recovery site. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to mineral resource recovery sites is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

|  | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|--|--|--|---|
|--|--|--|---|

**Impact Area: Noise**

-- Would the Project result in:

- |   |                                       |                          |                                     |
|---|---------------------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | Less Than Significant with Mitigation | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | Less Than Significant with Mitigation | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | Less Than Significant with Mitigation | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | Significant and Unavoidable           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | Less Than Significant                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to noise levels?  | Less Than Significant                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- a) *Would the project result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Future development in accordance with the Midtown Specific Plan would cause increases in traffic along local roadways. The Midtown Specific Plan Program EIR analyzed the noise level increases on roadways over existing and 2035 conditions at 50 feet from the centerline of each roadway segment. Under existing plus project conditions, traffic noise increases along roadways would be up to 1.0 dBA CNEL; the increases would occur due to implementation of the Midtown Specific Plan. No roadway segments would result in an increase greater than 5 dBA, or would experience substantial noise increases greater than 3 dBA resulting in noise levels greater than 65 dBA CNEL. Therefore, traffic noise increases for existing plus project conditions would be less than significant.

Under 2035 conditions, traffic noise increases along roadways would be up to 0.6 dBA CNEL; the increases would occur due to implementation of the Midtown Specific Plan. No roadway segments would result in an increase greater than 5 dBA, or would experience substantial noise increases greater than 3 dBA resulting in noise levels greater than 65 dBA CNEL. Therefore, traffic noise increases for 2035 conditions would be less than significant.

An impact could be significant if the Midtown Specific Plan designates noise-sensitive land uses in areas that would exceed the noise compatibility criteria of the City. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources; both roadway and railway sources. Implementation of the Midtown Specific Plan could add new sensitive uses, including residential uses, in areas adjacent to the (existing) Blue Line and (future) Green Line railways. Mitigation Measure N-5 would reduce potential interior noise impacts to future noise-sensitive receptors below the thresholds. No significant and unavoidable impact would remain.

Stationary-source noise from these land uses within the Midtown Specific Plan area would not substantially increase the noise environment. The City regulates noise produced by air conditioning units, landscape maintenance, and loading activities in Section 8.80.200 (Noise Disturbances-Acts Specified) of the City's Municipal Code. The City's Noise Ordinance is based on the receiving land use, protecting noise-sensitive uses regardless of neighboring uses. Noise that exceeds the limitations of the City's Municipal Code is considered a violation and is punishable by a fine or imprisonment. Therefore, project-related noise impacts from stationary sources would be less than significant with adherence to City regulations.

The Metro Blue Line railway is located two blocks away from the project site. The proposed project will prepare an acoustical report consistent with the requirements of Mitigation Measure N-5 as part of the building permit submittal process. In addition, the proposed residential uses on the project site would be required to be in compliance with the City's Municipal Code. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects the exceedance of noise standards is not required.

#### Mitigation Measure:

- N-5 Prior to issuance of a building permit for residential development projects accommodated by the Midtown Specific Plan, the project applicant/developer shall submit a final acoustical report prepared to the satisfaction of the City of Long Beach Development Services Department. The report shall demonstrate that the residential development will be sound-attenuated against present and projected

noise levels, including roadway, railway, aircraft, helicopter, and stationary sources (e.g., industrial, commercial, etc.) to meet City interior standards. Specifically, the report shall demonstrate that the proposed residential design will result in compliance with the 45 dBA CNEL interior noise levels, as required by the California Building Code and California Noise Insulation Standards (Title 24 and 25 of the California Code of Regulations). The project applicant/developer shall submit the final acoustical report to the City of Long Beach Development Services Department for review and approval. Upon approval by the City, the project's acoustical design features shall be incorporated into construction of the proposed development project.

#### ***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

- b) Would the project result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Groundborne vibration from construction activities from implementation of development projects under the Specific Plan, railway operations at future development projects, and commercial/industrial operations at future development sites could result in substantial impacts to sensitive receptors. Mitigation Measure N-2 would reduce potential vibration impacts during construction below the thresholds. Mitigation Measure N-3 would reduce potential train-related vibration impacts to new uses below the thresholds. Mitigation Measure N-4 (operations-related vibration) would reduce potential vibration impacts from commercial/industrial uses to less than significant levels. No significant and unavoidable vibration impacts would remain.

The identified vibration studies will be overseen by the City of Long Beach Building Bureau. Identification and implementation of appropriate mitigation measures and contingencies shall be to the satisfaction of the Superintendent of Building & Safety. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to groundborne noise and vibration is not required.

#### **Mitigation Measures:**

- N-2 Prior to issuance of a building permit for any development project requiring pile driving or blasting during construction, the project applicant/developer shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. The maximum levels shall not exceed 0.2 inches/second, which is the level that can cause architectural damage for typical residential construction. If maximum levels would exceed these thresholds, alternative uses such static rollers, non-explosive blasting, and drilling piles as opposed to pile driving shall be used.
- N-3 Prior to the issuance of building permits for development projects accommodated by the Midtown Specific Plan, if proposed vibration-sensitive land uses are located within 200 feet of any railroad line, the property owner/developer shall retain an acoustical engineer to conduct an acoustic analysis that includes a vibration analysis for potential impacts from vibration generated by operation of the rail line. Mixed-use buildings shall be designed to eliminate vibration amplifications due to

resonances of floors, walls, and ceilings. The detailed acoustical analysis shall be submitted to the City of Long Beach Development Services Department prior to issuance of building permits and shall demonstrate that the vibration levels would be below 65, 72, or 75 VdB, which are the Federal Transit Administration's rail-focused groundborne vibration criteria for Category 1, 2, and 3 land uses, respectively. Category 1 uses are buildings where vibration would interfere with interior operations; Category 2 uses are residences and buildings where people normally sleep; and Category 3 uses are institutional land uses with primarily daytime use.

- N-4 Prior to issuance of a building permit for projects involving the development of new industrial uses within 200 feet of any existing residential use or Development District 3 of the Midtown Specific Plan, the property owner/developer shall retain an acoustical engineer to conduct an acoustic analysis that includes a vibration analysis for potential impacts from vibration generated by industrial activities. The detailed acoustical analysis shall be submitted to the City of Long Beach Development Services Department and shall demonstrate that the vibration levels to any nearby residential use would be below 78 VdB during the daytime (7 AM to 10 PM) and 72 VdB during the nighttime (10 PM to 7 AM), which are the Federal Transit Administration's daytime and nighttime criteria to regulate general vibration impacts at affected residential uses.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

Refer to the discussion under Noise threshold a), above. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources; both roadway and railway sources. Mitigation Measure N-5 would reduce potential interior noise impacts to future noise-sensitive receptors below the thresholds. No significant and unavoidable impact would remain.

The Metro Blue Line railway is located two blocks away from the project site. The proposed project will prepare an acoustical report consistent with the requirements of Mitigation Measure N-5 as part of the building permit submittal process. In addition, the proposed residential and commercial uses on the project site would be required to be in compliance with the City's Municipal Code. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects the potential permanent increase in ambient noise levels is not required.

*Mitigation Measure:*

*Mitigation Measure N-5 [Refer to Noise threshold a), above.]*

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Noise from construction activities from implementation of development projects under the Midtown Specific Plan could result in substantial impacts to sensitive receptors.

Mitigation Measure N-1 would reduce potential noise impacts during construction to the extent feasible. However, due to the potential for proximity of construction activities to sensitive uses and potential longevity of construction activities, this impact (construction noise) would remain significant and unavoidable.

The construction contractor for the proposed project would be required to adhere to the requirements in Mitigation Measure N-1. During the Project's plan check phase Building Bureau personnel will verify compliance with Mitigation Measure N-1 during review of development plans, as conditioned. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects the potential temporary or periodic increase in ambient noise levels is not required.

**Mitigation Measure:**

N-1 Prior to issuance of demolition, grading and/or building permits for development projects accommodated by the Midtown Specific Plan, a note shall be provided on development plans indicating that ongoing during grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:

- Construction activity is limited to the daytime hours between 7 AM to 7 PM on Monday through Friday and 9 AM to 6PM on Saturday, as prescribed in the City's Municipal Code. Construction is prohibited on Sundays.
- All internal combustion engines on construction equipment and trucks are fitted with properly maintained mufflers.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiling is located as far as feasible from nearby noise-sensitive receptors.
- Construction traffic shall be limited to the haul routes established by the City of Long Beach.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

The closest airport from the edge of the Midtown Specific Plan area is the Long Beach Airport, approximately 1.8 miles to the northeast. The Midtown Specific Plan area is outside the 60 CNEL contour for Long Beach Airport, and well outside the 65 CNEL



contour for Los Angeles International Airport and the critical noise contours of the Goodyear Blimp Base and Compton Airport. Aircraft overflights are sporadically heard, but do not cause a substantial noise impact in the vicinity of the Midtown Specific Plan area. The Long Beach Memorial Medical Center Heliport is located in the northern end of Midtown Specific Plan area. Other heliports in the project vicinity include St. Mary Medical Center (0.25 miles south), World Trade Center (1.1 miles southwest), and NAA Long Beach Port (1.3 miles south). However, operation of these heliports is sporadic and would not generate substantial amounts of noise to users in the Midtown Specific Plan Area. Noise impacts due to aircraft operations from airports and airstrips would not be significant.

The project site is approximately 5 miles southwest of the Long Beach Airport. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects of excessive noise levels for a project located within an airport land use plan or near a private airstrip is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

|  | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|--|--|--|---|
|--|--|--|---|

**Impact Area: Population and Housing**

-- Would the Project:

|   |                       |                          |                                     |
|---|-----------------------|--------------------------|-------------------------------------|
| 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)? | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) *Would the project 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)?*

Buildout under the Midtown Specific Plan would result in an increase of approximately 4,195 residents over existing conditions. The Midtown Specific Plan would accommodate the development of up to 1,736 new residential units and result in an increase of approximately 2,787 new jobs within the Midtown Specific Plan area (and the City). The estimated growth in population, housing units, and employment due to buildout of the Midtown Specific Plan are within Southern California Association of Governments (SCAG) forecasts for these respective categories for the City of Long Beach by 2035. In addition, at buildout of the Midtown Specific Plan, the jobs-housing ratio for the City of Long Beach is estimated to be 0.98, the same as SCAG projects for the City in 2035. For these reasons, project-related population, housing, and employment growth are less than significant. No significant impact related to jobs-housing balance is anticipated to occur with implementation of the Midtown Specific Plan.

The proposed housing project would provide additional housing units within the projected growth parameters of the Midtown Specific Plan. Therefore, the proposed project would not exceed the adopted population, housing, and employment growth forecasts analyzed in the Midtown Specific Plan Program EIR. Therefore, the proposed project would be

consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to population growth is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Implementation of the Midtown Specific Plan would gradually convert existing vacant land, auto-related businesses, and other land uses into several districts with land use types including transit-oriented mixed-use, medical use, and multifamily and single-family residential use. The Midtown Specific Plan permits mixed use within current residential areas, but does not require existing residential areas to convert to nonresidential areas. Buildout of the Midtown Specific Plan would result in an increase of approximately 1,700 dwelling units in the Specific Plan area over existing conditions, which currently consists of 1,959 dwelling units. Although these residential land uses may be redeveloped as Long Beach Boulevard is revitalized under the Specific Plan, the existing dwelling units would be allowed to remain within the Specific Plan area. Therefore, the Midtown Specific Plan would not lead to the displacement of a substantial number of existing housing or people. Impacts related to the displacement of housing and people was determined to be less than significant.

The project site is vacant and unimproved under existing conditions. No housing or people would be displaced with construction of the proposed multi-family residential project . Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to the displacement of housing and people is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area: Public Services**

-- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

|                       |                       |                          |                                     |
|-----------------------|-----------------------|--------------------------|-------------------------------------|
| a) Fire protection?   | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection? | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools?           | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Libraries?         | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Parks?             | Less Than Significant | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?*

Implementation of the Midtown Specific Plan would increase the overall demand on fire protection and emergency services in the City. Additionally, the potential demand for additional personnel, equipment, and operational costs generated by the Midtown Specific Plan, would be funded and offset through the increased tax revenue generated from the additional development allowed under the Midtown Specific Plan. Individual development projects would be reviewed by the City and LBFD and would be required to comply with

the requirements in effect at the time building permits are issued, including the payment of the fire facilities impact fee, per Chapter 18.23 (Fire Facilities Impact Fees) of the City's Municipal Code. Payment of the Fire Facilities Impact Fee ensures that individual project applicant's pay their fair share of costs related to fire protection services and facilities. LBFD would also continue to be supported by Proposition H revenue, a per barrel tax on all oil producers in Long Beach; the City's General Funds; the City's Tidelands operation revenue; and other revenue sources such as paramedic fees, fire building plan and building checks, various state and federal grants, and private donations.

During the City's development review and permitting process, LBFD would review and approve individual development projects to ensure that adequate facilities, infrastructure, and access are provided to serve the needs of LBFD. Specific fire and life-safety requirements for the construction phase of future development projects that would be accommodated under the Midtown Specific Plan would be addressed at the building and fire plan check review stage for each development project. All development projects that would be accommodated under the Midtown Specific Plan would also be required to comply with the most current adopted fire codes, building codes, and nationally recognized fire and life safety standards of Long Beach, Los Angeles County, and the State of California. Implementation of the Midtown Specific Plan would not result in substantial adverse impacts related to fire protection and emergency services.

The proposed project would be required to pay the fire facilities impact fee, per Chapter 18.23. LBFD would review and approve the plans for the proposed project to ensure that adequate facilities, infrastructure, and access are provided to serve the needs of LBFD. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to impacts to fire protection services and facilities is not required.

#### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- b) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?*

The Midtown Specific Plan at buildout would increase demands for police protection services in the Midtown Specific Plan area. During the construction and operation of the future development projects that would be accommodated under the Midtown Specific Plan, the need for police services is expected to grow due to the increase in population and workers and associated potential for additional crime and accidents.

LBPD indicated that the increase in demands on police services resulting from the Midtown Specific Plan would not adversely impact LBPD's existing resources. The increase in potential services needed would not require the construction of a new police station or improvements to the existing station that serves the Midtown Specific Plan area. Implementation of the Midtown Specific Plan is also not anticipated to significantly increase LBPD's response times to either to the Midtown Specific Plan area or the surrounding vicinity. The Midtown Specific Plan would occur in an area of the City already served by LBPD; therefore, the Midtown Specific Plan would not result in an expansion of LBFD's service area.

Furthermore, as development occurs in accordance with the Midtown Specific Plan, the City's General Funds would increase proportionally and would allocate additional funds to LBPD to hire and train additional police officers or administrative personnel. In addition, applicants of individual development projects would be required to pay police facilities impact fees in accordance with Chapter 18.22 (Police Facilities Impact Fees) of the City's Municipal Code, which would contribute to LBPD's funds to acquire, construct, and furnish new law enforcement facilities and purchase new equipment. Payment of the Police Facilities Impact Fee ensures that individual project applicant's pay their fair share of costs related to police protection services and facilities. LBPD would also continue to be supported by Proposition H revenue, a per barrel tax on all oil producers in Long Beach; the City's Tidelands operation revenue; and other revenue sources such as general grants (e.g., federal, state, and county grants). Implementation of the Midtown Specific Plan would not result in substantial adverse impacts related to police protection services.

The proposed project would be required to pay the fire facilities impact fee, per Chapter 18.22. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to impacts to police protection services and facilities is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- c) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?*

Buildout of the Midtown Specific Plan would allow for up to 1,736 additional dwelling units, which would result in a population increase of 4,195 additional residents. The population increase would lead to an increase in student population, which in turn would add additional demand for LBUSD services and facilities.

LBUSD would have capacity to serve the additional 640 students that would be generated by the Midtown Specific Plan. Additionally, the need for additional services is addressed through compliance with the school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) sets forth a state school facilities construction program that includes restrictions on a local jurisdiction's ability to condition a project on mitigation of impacts on school facilities in excess of fees set forth in Education Code Section 17620. These fees are collected by school districts at the time of issuance of building permits for commercial, industrial, and residential projects. Since all of future project-related development projects must pay their appropriate impact fees, each project would mitigate the impacts associated with its activities.

The proposed project includes residential units and would be required to pay the school impact fee assessment, per SB 50. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to impacts to school facilities is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- d) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for libraries?*

Buildout of the Midtown Specific Plan has the potential to generate up to 4,179 new residents in the plan area (and City). The increased population would lead to increased demand for local library services; however, LBPL stated that additional resources and/or facilities are not needed to support future residents under the Midtown Specific Plan. Furthermore, LBPL would continue receiving funding for library facilities and resources through the City's General Fund and through library activities, such as fines, facility rentals, and passport photo/execution fees as well as grants and private donations, provided mainly by the Friends of the Long Beach Public Library and the Long Beach Public Library Foundation. Impacts from implementation of the Midtown Specific Plan on library services are not anticipated to be significant.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to impacts to library facilities is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- e) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?*

*Refer to the discussion in Recreation thresholds a) and b).*

The proposed project will include 6,919 square feet of private and common open space to comply with the Midtown Specific Plan open space requirements, thereby increasing the amount of open space on the project site. An in-lieu park fee is not required for affordable housing projects pursuant to Long Beach Municipal Code Section 18.18.120.E. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to increases in the use of existing neighborhood and regional parks is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

| Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change<br>to Midtown<br>Specific<br>Plan<br>Program<br>EIR |
|--|--|---|
|--|--|---|

### Impact Area: Recreation

-- Would the Project:

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?

Less Than  
Significant



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?

Less Than  
Significant



*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?*

The Midtown Specific Plan would lead to an increase in the number of dwelling units within the Midtown Specific Plan area, which would lead to an increase in the demand of existing City park and recreational facilities. All new residential development that would be accommodated under the Midtown Specific Plan would be required to pay the parks and recreation facilities impact fees, which would be placed into the City's park fee account, and used solely and exclusively for the purpose of funding future park land acquisition and recreation improvements. Therefore, as residential development occurs in accordance with the Midtown Specific Plan, the City's park funds would also gradually increase and allow the City to acquire new parks or improve on existing parks and recreational facilities. Payment of the parks and recreation facilities impact fees would also help offset any impacts to existing parks and recreational facilities. Parkland dedication and/or the payment of in-lieu fees would ensure that significant impacts to existing parks and recreational facilities would not occur.

The proposed project will include 6,919 square feet of private and common open space to comply with the Midtown Specific Plan open space requirements, thereby increasing the amount of open space on the project site. As this is an affordable housing project, an in-lieu park fee will not be required per the conditions of approval and the Midtown Specific Plan Program EIR to off-set the lack of parkland space. Therefore, the proposed project



would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to increases in the use of existing neighborhood and regional parks is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- 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?*

The Midtown Specific Plan includes an 18-acre Open Space District within the Midtown Specific Plan area, which identifies areas reserved for community and mini parks, and creates space for new parklets (small street parks) along Long Beach Boulevard. Future park developments within the Midtown Specific Plan area would also be required to adhere to the development standards and design guidelines of the Midtown Specific Plan. As noted above, all new residential development that would be accommodated under the Midtown Specific Plan would be required to pay the parks and recreation facilities impact fees outlined in Chapter 18.18 (Park and Recreation Facilities Fee) of the City's Municipal Code. Payment of the parks and recreation facilities impact fees would help offset any impacts to existing parks and recreational facilities. For these reasons, the Midtown Specific Plan would not result in significant impacts relating to new and/or expanded parks and recreational facilities.

The proposed project will include 6,919 square feet of private and common open space to comply with the Midtown Specific Plan open space requirements, thereby increasing the amount of open space on the project site. As an affordable housing project an in-lieu park fee will not be required as they are exempt from paying this fee. The proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to the construction or expansion of recreational facilities is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

|   | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|---|--|--|---|
| <b>Impact Area: Transportation/Traffic</b>  |  |  |   |
| -- Would the Project:   |  |  |   |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | Less Than<br>Significant with<br>Mitigation              | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?  | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?   | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| e) Result in inadequate emergency access?   | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |

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

The Midtown Specific Plan would generate additional vehicular travel in the study area. However, given the mixed-use nature of the Midtown Specific Plan area, the Midtown Specific Plan would not generate traffic in a similar manner as traditional development sites.

The trip generation and trip distribution estimates developed for the Midtown Specific Plan were assigned to the study area roadway network by district. The Site-Specific Traffic Impact Study (prepared by KOA Corporation, November 2017) studied the existing traffic conditions and evaluated the traffic condition with the project.

Individual development projects that would be accommodated under the Midtown Specific Plan would be reviewed by the City and would be required to comply with the requirements in effect at the time building permits are issued, including the payment of the transportation improvement fee, per Chapter 18.17 (Transportation Improvement Fee) of the City's Municipal Code. Per Chapter 18.17, a transportation improvement fee is imposed on new development in the City for the purpose of assuring that the transportation level of service goals of the City as set forth in the traffic mitigation program are met with respect to the additional demands placed on the transportation system by traffic generated from such development.

Two intersections were evaluated, Long Beach Boulevard and Pacific Coast Highway and Palmer Court and Pacific Coast Highway. The current AM Peak Hour level of service for both intersections is LOS D. The current PM Peak Hours level of service for Long Beach Boulevard and Pacific Coast Highway is LOS D. The current PM Peak Hours level of service for Palmer Court and Pacific Coast Highway is LOS B. The two intersections were analyzed with the addition of the project's anticipated generated traffic. The study determined that the intersections would continue to operate at a LOS D or better during the weekday a.m. and p.m. peak hours. Based on the peak hour intersection analysis and the City's significant impact criteria, the proposed project would not create any significant impacts to the study intersections, and no mitigation measures are required. Therefore, the proposed project has satisfied the requirements of Mitigation measure TRAF-1. Mitigation Measure TRAF-2 in the Midtown Specific Plan Program EIR project applicants/developers shall make fair-share payments to the City of Long Beach toward construction of transportation improvements. The project applicant would be required to pay the fair-share payment prior to issuance of occupancy permits. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to the traffic impacts is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

There are no CMP intersections in the study area, the nearest CMP intersection is Pacific Coast Highway at Alamitos Avenue/Orange Avenue, approximately 1,000 feet east from the Midtown Specific Plan area. The CMP intersection is currently operating at LOS B during the AM peak hour and C during the PM peak hour. As also shown in the table, the CMP analysis at the intersection of Pacific Coast Highway and Alamitos Avenue/Orange Avenue was conducted for four traffic conditions. The intersection of Pacific Coast Highway and Alamitos Avenue/Orange Avenue would operate at LOS C or better during both peak hours under all four traffic conditions. Therefore, the Midtown Specific Plan would not result in this CMP-designated intersection to exceeding the congestion management agency service standards.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to level of service established by county congestion management agency for designated roads/highways is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

The Midtown Specific Plan area is not within an airport land use plan. However, the plan area is within five miles of the Long Beach Airport. The Midtown Specific Plan would not cause a change in the directional patterns of aircraft of the Long Beach Municipal Airport. Implementation of the Specific Plan would result in less than significant impacts.

The proposed project would not exceed the development standards for the project site permitted under the Midtown Specific Plan. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to changes in air traffic patterns is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- d) Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

At project completion, improvements to Long Beach Boulevard would improve vehicular, pedestrian and bicycle mobility in the project areas. Future development under the Specific Plan roadway and circulation improvements would be required to adhere to the City's Standard Engineering Plans and LBFD's design standards, as well as those outlined in the Midtown Specific Plan, which would be imposed on project developments by the City and LACFD during the building plan check and development review process. Compliance with these established and proposed design standards would ensure that hazards due to design features would not occur.

The proposed housing project does not propose to alter existing street patterns. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to hazards due to a design feature or incompatible uses is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

*e) Would the project result in inadequate emergency access?*

The traffic and circulation and circulation components of the Midtown Specific Plan would be designed and constructed in accordance with all applicable LBFD design standards for emergency access (e.g., minimum lane width and turning radius). Future development projects under the Specific Plan would also be required to incorporate all applicable design and safety requirements as set forth in the most current adopted fire codes, building codes, and nationally recognized fire and life safety standards of the City and LBFD, such as those outlined in Chapter 18.48 (Fire Code) of the City's Municipal Code, which incorporates by reference the 2013 California Fire Code. Compliance with these codes and standards is ensured through the City's and LBFD's development review and building permit process. Impacts on emergency access would be less than significant.

LBFD will review and approve the plans for the proposed project to ensure that adequate access is provided to serve the needs of LBFD. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to impacts to emergency access is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

The Midtown Specific Plan would enhance pedestrian facilities throughout the Midtown Specific Plan area through the widening of sidewalks, improved intersection crossings, enhanced lighting and landscaping along the corridor, and implementation of bicycle lanes, which would enhance pedestrian safety. The Midtown Specific Plan also includes the closure of thru traffic on a few low volume roadway segments that intersect with Long Beach Boulevard to create parklets.

The Midtown Specific Plan includes recommendations for an improved Class III or IV bikeway and bike boxes along Long Beach Boulevard where and when feasible. Bicycle improvements along Long Beach Boulevard will be determined in the City's Bicycle Master Plan Update. Furthermore, under the Midtown Specific Plan, three transit nodes would be created within the Midtown Specific Plan area to support the three existing Metro stations along the corridor and foster transit-oriented development around them. Transit improvements for the Metro stations would include installation of bike racks to help riders' first and last mile, and pedestrian and bicycle access would be improved.

The proposed housing project would support adopted policies for providing alternative transportation modes by including bicycle racks. Additionally, the project site is serviced by the Metro Blue Line on Long Beach Boulevard. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to conflicts with adopted policies, plans, or programs supporting alternative transportation is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**



**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area: Tribal Cultural  
Resources**

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

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

Less Than  
Significant With  
Mitigation

□

■

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

Less Than  
Significant With  
Mitigation

□

■

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

*b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision*

There is currently one building (Packard Motors at 205 Anaheim Street) within the plan area designated as a Long Beach Historic Landmark and there are many other buildings that are more than 50 years old that merit evaluation as potentially significant resources. However, the site of the proposed mixed-use project which is currently vacant but was previously developed. It and is not included the list of or properties determined to be potential significant resources (Table 5.3-2).

**Mitigation Measure CUL-1** Future development or redevelopment projects on any of the properties listed in Table 5.3-2 (List of Properties in the Midtown Specific Plan Area Recommended for Future Evaluation) of the Midtown Specific Plan EIR (SCH No. 2015031034) shall require that an intensive-level historical evaluation of the property be conducted by the property owner or project applicant/developer; the evaluation shall be conducted in accordance with all applicable federal, state and local guidelines for evaluating historical resources. If based on the evaluation of the property it is determined that the proposed development or redevelopment project will have a substantial adverse effect on a historical resource (i.e. it would reduce its integrity to the point that it would no longer be eligible for inclusion in the California Register of Historical Resources or in the list of Long Beach Landmarks), then the provisions of Mitigation Measure CUL-2 shall be implemented by the property owner or project applicant/developer to eliminate or reduce the project's impact on historical resources (Table 5.3-1).

**Mitigation Measure CUL-2** If based on the intensive-level historical evaluation of a property listed in Table 5.3-2 (List of Properties in the Midtown Specific Plan Area Recommended for Future Evaluation) of the Midtown Specific Plan EIR, as required under Mitigation Measure CUL-1, it is determined that the proposed development or redevelopment project will have a substantial adverse effect on a historical resource, the City of Long Beach shall require the property owner or project applicant/developer to implement the Rehabilitation According to the Secretary of the Interior's Standards as detailed further in the Mitigation Measure CUL-2 in the Program EIR.

*(c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The Midtown Specific Plan Program EIR did not include a separate Section specifically devoted to Tribal Cultural Resources as it wasn't a part of the environmental. Changes to the Office of Planning Research amended to Appendix G in September 27, 2016 following the June 14, 2016 certification of the Midtown Specific Plan Program EIR.

#### **NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**



|   | Midtown<br>Specific Plan<br>Program EIR<br>Determination | Potentially<br>Significant<br>Impact Not<br>Identified<br>in Midtown<br>Specific<br>Plan<br>Program<br>EIR | No Impact/<br>No Change to<br>Midtown<br>Specific Plan<br>Program EIR |
|---|--|--|---|
| <b>Impact Area:<br/>Utilities and Service System</b>  |  |  |   |
| -- Would the Project:   |  |  |   |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| a) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | Less Than<br>Significant with<br>Mitigation              | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| b) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                     | Less Than<br>Significant with<br>Mitigation              | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| c) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | Less Than<br>Significant with<br>Mitigation              | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |
|   | Less Than<br>Significant                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>                                   |

**Midtown  
Specific Plan  
Program EIR  
Determination**

**Potentially  
Significant  
Impact Not  
Identified  
in Midtown  
Specific  
Plan  
Program  
EIR**

**No Impact/  
No Change to  
Midtown  
Specific Plan  
Program EIR**

**Impact Area:  
Utilities and Service System**

-- Would the Project:

g) Comply with federal, state, and local statutes and regulations related to solid waste?

h) Would increase demand for other public services or utilities.

Less Than  
Significant



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

The Midtown Specific Plan would not permit land uses requiring treatment other than that provided at municipal wastewater treatment plants, such as large manufacturing or agricultural operations. The Los Angeles County Sanitation District (LACSD) treats the City's wastewater at the Joint Water Pollution Control Plant (JWPCP) and the Long Beach Water Reclamation Plant. Individual projects developed pursuant to the Midtown Specific Plan would be subject to an LACSD connection fee when they are hooked up to a sewer line and would be required to comply with LARWQCB requirements governing discharges to municipal storm drainage systems. LARWQCB requirements include those requiring preparation and implementation of water quality management plans (WQMP) and implementation of BMPs. Therefore, no adverse impact would occur.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. The project applicant would be required to pay an LACSD connection fee when the residential development is hooked up to a sewer line and would be required to comply with LARWQCB requirements governing discharges to municipal storm drainage system. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to wastewater treatment requirements is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

Wastewater from the Midtown Specific Plan area is treated at LACSDS's JWPCP. The residual capacity at the JWPCP is more than adequate to accommodate the net increase in wastewater generation from development that would be accommodated by the Midtown Specific Plan. Therefore, the Midtown Specific Plan would not require construction of new or expanded wastewater treatment facilities.

Implementation of the Midtown Specific Plan would require the reconfiguration of the onsite private sewer system to support the development projects within each area of the Midtown Specific Plan area; additionally, development within the Midtown Specific Plan area would require upsizing of several key City sewer lines within the Midtown Specific Plan area to maintain required conformance with sewer design criteria.

Furthermore, new residential and commercial development that would be accommodated by the Midtown Specific Plan would be required to pay a sewer capacity fee required under Part 18 (Sewer Capacity Charge) of the Rules, Regulations, and Charges approved by the Long Beach Board of Water Commissioners in 2011. All development projects within the Midtown Specific Plan area would require "Will Serve" letters from the Sanitation Districts, in which project specific flows will be further evaluated by the Sanitation Districts. To ensure sufficient capacity within the trunk sewer lines, the Sanitation Districts would review individual developments projects that would be accommodated by the Midtown Specific Plan in order to determine whether or not sufficient trunk sewer capacity exists to serve each development project and if the Sanitation Districts facilities will be affected by the development project. This would be accomplished through the Sanitation Districts "Will Serve" letter process. Since the "Will Serve" letter process is not a standard City requirement for development projects, it has been added as mitigation at the end of this section.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. The project applicant would be required to pay an LACSD connection fee when the mixed-use development is hooked up to a sewer line and would be required to comply with LARWQCB requirements governing discharges to municipal storm drainage system. In a letter dated October 26, 2017 from the LACSD the expected average wastewater flow from the proposed project is 9,006 gallons per day. In addition, the letter satisfies the requirement to provide a "Will Serve" letter from LACSD for the project. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to the construction of new water or wastewater treatment facilities is not required.

#### Mitigation Measures:

- USS-1      Prior to the issuance of grading permits for individual development projects that would occur within the Midtown Specific Plan area and in lieu of implementing the sewer line replacement and upsizing improvements outlined in the Infrastructure Technical Report for Hydrology, Sewer, Water, and Water Quality prepared by Fuscoe Engineering (dated July 1, 2015), the project applicant/developer shall submit a site-specific sewer flow monitoring study to provide a more detailed analysis of the true sewer flow depths over time to determine if the potential for surcharge conditions would occur due to project development. The sewer flow monitoring study may indicate that there is sufficient capacity for the sewer lines identified in the Infrastructure Technical Report, as well indicate that they are above the

design criteria ( $>0.75$  d/D); and thereby, conclude that the replacement and upsizing improvements are not necessary. The sewer flow monitoring study shall be submitted to the City of Long Beach Development Services Department for review and approval.

- USS-2      Prior to the issuance of grading permits for individual development projects that would be accommodated by the Midtown Specific Plan, the project applicant/developer shall provide evidence to the City of Long Beach Development Services Department that the development project has been reviewed by the County Sanitation Districts of Los Angeles County (Sanitation Districts) and that a "Will Serve" letter has been issued by the Sanitation Districts. The "Will Serve" letter process is necessary in order to determine whether or not sufficient trunk sewer capacity exists to serve each development project and if the Sanitation Districts facilities will be affected by the development project.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

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

*Refer to the discussion in Hydrology and Water Quality thresholds d) and e).*

The project applicant will submit a sewer flow monitoring test to the City of Long Beach Development Services Department at the time that building plans are submitted for plan check. The proposed project would be required to comply with all applicable regulations with regard to runoff and discharge. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of potential effects related to alteration of the existing drainage pattern of the site or area is not required.

**NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR**

- d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Buildout under the Midtown Specific Plan is estimated to increase water demands in the plan area. LBWD forecasts that it will have sufficient water supplies to meet estimated water demands from buildout of the Midtown Specific Plan.

Individual development projects that would be accommodated by the Midtown Specific Plan would be required to comply with the water-efficient landscape requirements outlined in the Section 21.42.035 (Special Requirements for Water Efficient Landscaping) of the City's Municipal Code and comply with the LID standards of Chapter 18.74 (Low Impact Development Standards) of the City's Municipal Code. Future development that would be accommodated by the Midtown Specific Plan would also be required to comply with the provisions of the most current (2013) California Green Building Standards Code

(CALGreen; adopted by reference in Chapter 18.47 [Green Building Standards Code] of the City's Municipal Code).

Under proposed conditions, it is also anticipated that the majority of existing onsite water lines within private parcels would be removed and replaced with new water lines based on the proposed building configuration and type of development proposed for each parcel. The new water lines would be implemented as needed to better serve the individual development projects that would be accommodated by the Midtown Specific Plan. Based on the preceding, no significant impacts to water distribution systems are anticipated to occur.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. The project applicant would be required to comply with all water-efficient landscape, LID, and building code requirements adopted by the City. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to water supplies is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

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

Refer to Utilities and Service System threshold b).

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. The project applicant would be required to pay an LACSD connection fee when the residential development is hooked up to a sewer line. In a letter dated October 26, 2017 from the LACSD the expected average wastewater flow from the proposed project is 9,006 gallons per day. In addition, the letter satisfies the requirement to provide a "Will Serve" letter from LACSD for the project. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to the wastewater treatment capacity is not required.

Mitigation Measures:

Mitigation Measures USS-1 and USS-2 [Refer to Utilities and Service System threshold b)].

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

The five landfills that serve Long Beach have adequate landfill capacity in the region for the estimated project-generated 19.2 tons of solid waste. Buildout under the Midtown Specific Plan would not require new or expanded landfill facilities. In addition, portions of the 19.2 tons of solid waste per day would be processed at the Southeast Resource

Recovery Facility and recycled or incinerated to generate electricity, or be sorted at Potential Industries for re-selling of recyclable materials.

Additionally, individual development projects that would be accommodated by the Midtown Specific Plan would be required to adhere to the provisions of Chapter 18.67 (Construction and Demolition Recycling Program) of the City's Municipal Code, which requires that certain categories of projects divert at least 60 percent of construction and demolition waste from landfills, through reuse or recycling. Furthermore, Section 5.408 (Construction Waste Reduction, Disposal, and Recycling) of the 2013 California Green Building Standards Code (CALGreen; incorporated by reference in Chapter 15.22 [Green Building Standards Code] of the City's Municipal Code) requires that at least 50 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse. Development that would be accommodate by the Midtown Specific Plan would be required to adhere to the waste reduction and recycling provisions of the CALGreen Code, which would be ensured through the City's development review and building plancheck process. Impacts on solid waste disposal capacity are not anticipated to be significant.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. The proposed project would be required to comply with all Municipal Code and CALGreen Code requirements for diversion, recycle, and reuse. Planning staff will coordinate with Building Bureau officials during the Project's plan check phase to verify compliance with waste management, recycling and disposal of household waste. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to solid waste disposal capacity is not required.

#### ***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

##### ***g) Comply with federal, state, and local statutes and regulations related to solid waste?***

As of 2006, the City of Long Beach was exceeding its waste diversion rate of 50 percent by an additional 19 percent. Future development under the Midtown Specific Plan would be required to comply with laws and regulations governing solid waste, and no adverse impact would occur.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. The proposed project would be required to comply with federal, state, and local statutes and regulations governing solid waste. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to federal, state, and local statutes and regulations related to solid waste is not required.

##### ***h) Would increase demand for other public services or utilities.***

#### **Electricity**

Buildout under the Midtown Specific Plan would create a net increase in electricity demand, which is is well within SCE's systemwide net increase in electricity supplies of approximately 13,400 GWH annually over the 2012-2024 period. Therefore, there are sufficient planned electricity supplies in the region for the estimated net increase in

electricity demands, and buildout under the Midtown Specific Plan would not require expanded electricity supplies.

Additionally, plans submitted for building permits of development projects that would be accommodated by the Midtown Specific Plan would be required to include verification demonstrating compliance with the 2013 Building and Energy Efficiency Standards and are also required to be reviewed and approved by the City of Long Beach Public Utilities Department prior to issuance of building permits. Development projects that would be accommodated by the Midtown Specific Plan would also be required adhere to the provisions of the CALGreen Code, which established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.

#### Natural Gas

Buildout under the Midtown Specific Plan would generate a net increase in natural gas demands of approximately 33.5 million kBtu annually. The forecast net increase in natural gas demands due to buildout under the Midtown Specific Plan is well within City forecasts of natural gas supplies, and therefore, would not require the City to obtain new or expanded natural gas supplies.

The proposed project would not exceed the development intensity for the project site permitted under the Midtown Specific Plan. The proposed project would be required to comply with energy efficiency standards and the CALGreen Code. Therefore, the proposed project would be consistent with the findings included in the Midtown Specific Plan Program EIR, and further study of effects related to electricity and natural gas demand is not required.

***NO IMPACT NOT IDENTIFIED IN PREVIOUS EIR***

## **2.0 Conclusion**

Based on the analysis included in this Environmental Compliance Checklist and in accordance with CEQA Guidelines section 15183, the proposed project has been analyzed and the lead agency has determined that the project would not result in new environmental impacts not identified in the Midtown Specific Plan Program EIR. The proposed project would not meet the provisions of Section 15162 of the *CEQA Guidelines* that require subsequent environmental review.