

## **LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS**

**6400 East Pacific Coast Highway  
Application No. 1906-12 (LCDP19-013)  
September 5, 2019**

Pursuant to Section 21.25.904 of the Zoning Ordinance, a Local Coastal Development Permit shall not be approved unless the following findings, in addition to any findings applicable under Chapter 21.52 (Conditional Uses) are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

**A. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND**

The Project is located in the Southeast Area Development and Improvement Plan (SEADIP) Community Plan area of the City's Local Coastal Program (LCP), and is comprised of a shopping center ("2<sup>nd</sup> & PCH") that is currently under construction. The SEADIP Planned Development Ordinance was adopted by reference as an integral part of this LCP. The existing construction for the 2<sup>nd</sup> and PCH project conforms to the SEADIP general development standards, and to the land use and development standards for the Project site SEADIP subarea (Subarea 17). The addition of four electronic message center signs serve as an accessory to the previously approved buildings. Adding four message center signs conforms to the SEADIP Community Plan provisions of the LCP.

The addition of four electronic message center signs on previously-approved buildings will not impact any requirements relating to low and moderate-income housing because there are no vacant or occupied residential dwelling units on the Project site. Since the Project would not construct any new housing units, a positive Finding can be made regarding the replacement of low- and moderate-income housing.

**B. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THIS SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.**

The project site is separated from the Alamitos Bay Marina by Marina Drive, a public street, and is not located seaward of the nearest public highway to the shoreline. The adjacent marina is fully improved with sea walls and boat slips accessible to the boat owners and their guest only; no public shoreline access is available at this marina. Currently, the project is under construction and will include a commercial shopping center, which will provide visitor-serving commercial retail,

restaurant, and personal service (fitness/health club) uses to the public. Furthermore, the proposed EMCs are wall mounted on previously approved buildings and will not conflict public access.

**CONDITIONAL USE PERMIT  
FINDINGS  
6400 East Pacific Coast Highway  
Application No. 1906-12 (CUP19-026)  
September 5, 2019**

Pursuant to Section 21.25.206 of the Long Beach Municipal Code (LBMC), a Conditional Use Permit (CUP) can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings along with staff analysis are presented below for consideration, adoption and incorporation into the record of proceedings:

**1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;**

The retail commercial development project ("2<sup>nd</sup> and PCH") on which the four Electronic Message Center signs (EMCs) are proposed was approved in 2017 and is currently under construction. The development is consistent with the General Plan Mixed Use District (LUD#7), the land use and development standards for the South East Area Development and Improvement Plan (SEADIP) (PD-1) zone (subarea 17), and the SEADIP Community Plan provisions of the Local Coast Program (LCP). The proposal consists of the addition of four EMCs to the retail development project currently being constructed. While there are no specific signage regulations within the General Plan, SEADIP, or the LCP, signs are subject to the zoning code (LBMC 21.44.800). The zoning standards establish the maximum number, location, spacing, sign form as well as design, size, projection, brightness and message display criteria (Exhibit F – Zoning Compliance). The Conditional Use Permit (CUP) for the proposed signs is consistent with the commercial nature of subarea 17 of SEADIP, LUD#7 and the LCP.

**2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE;**

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE 19-181) was prepared for this project. The proposed signage will be located on the exterior facade of a previously-approved commercial shopping center. The electronic message center signs are conditioned to limit the brightness, and speed of the messages so they will not be detrimental to the community.

**3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USE, ASSISTED IN CHAPTER 21.52; AND**

In addition to the required findings for a conditional use permit (Section 21.25.206), the Planning Commission shall not approve a conditional use permit for an Electronic Message Center sign unless positive findings can be made for the following:

- A. The proposed design of the electronic message center sign is complete and consistent within itself and is compatible in design with the architectural theme or character of the existing or proposed development it will serve and the community in which it will be located.**

The proposed design of the electronic message center signs is complete and consistent within itself, as well as compatible with the scale of the architecture and the themes and overall character of the shopping center. The signs were designed to fit within the exterior façade of the building in a manner compatible with the building façade.

- B. The establishment of the proposed electronic message center sign will not adversely affect the character, livability, or quality of life of any residential community it will be adjacent to or located in.**

The establishment of the proposed electronic message center signs will not adversely affect the character, livability, or quality of life of any residential community because there are no residential units adjacent to the site.

- C. The electronic message center sign shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway.**

Conditions of approval five (5) through thirteen (13) require the applicant to operate proposed signage in a manner that will not be harmful to those operating a vehicle. Conditions include adherence to all applicable zoning standards, restriction on the speed of message display, a prohibition of off-site advertising, and a limit to the hours of operation.

- D. The applicant has demonstrated that the proposed electronic message display surface is factory-certified as capable of complying with the brightness standards in Section 21.44.850.**

The applicant has provided a spec sheets from the manufacture, which demonstrated that the proposed electronic message display surface is factory-certified and capable of complying with the brightness standards.

- 4. The related development approval, if applicable, is consistent with the green building standards for public and private development, as listed in Section 21.45.400.**

Section 21.45.400 specifies types of projects that require compliance with green building standards. The proposed use is not one of the types of projects that require compliance Section 21.45.400, and therefore, this section of the Municipal Code would not be applicable to the proposed use.