



Legislation Text

File #: 21-0638, **Version:** 1

Adopt resolution directing Director of Development Services to submit the Ordinance amendments together with the Resolutions and all other appropriate supporting material to the California Coastal Commission for final certification and approval in compliance with the California Coastal Commission's October 8, 2020 action. (District 3)

Approved in 1977, the Southeast Area Development and Improvement Plan (SEADIP) was the first Planned Development District in the City of Long Beach (City). The SEADIP document guided land use and development for the 1,500-acre area for over 40 years. The City and the southeast Long Beach community spent time re-examining the area and crafting a new contemporary vision for the next 50 years. This multi-year effort of intensive outreach, analysis, and planning culminated in the Southeast Area Specific Plan 2060 (SEASP).

On September 19, 2017, the City Council certified EIR 02-16, selecting the reduced intensity alternative, denied an appeal, amended the City's Local Coastal Program (LCP), repealed the Southeast Area Development and Improvement Plan (SEADIP) (PD-1), amended the Long Beach Municipal Code (LBMC) to establish the SEASP (SP-2), and amended the Land Use District Map in the southeastern portion of Council District 3 (Attachment A - City Council Letter September 19, 2017). The Ordinances were submitted as a Local Coastal Program Amendment (LCPA) to the California Coastal Commission (Coastal Commission) on January 29, 2019 for certification.

On October 8, 2020, the Coastal Commission held a hearing for the LCPA (LCPA No. 1-19 [LCP-5-LOB-19-0008-1]) in conjunction with the local adoption of SEASP. The Coastal Commission recommended certification of the LCPA with 16 modifications required to protect coastal resources, including: sensitive habitat, biological resources, cultural resources, lower-cost overnight accommodations, recreational opportunities, and public coastal views (Attachment B - Coastal Commission Staff Report). The recommended modifications to SEASP and the associated documents and maps require City Council approval prior to resubmittal to the Coastal Commission for certification. City Council's discretion in this matter is limited to either accepting or rejecting the changes, no further modifications are possible at this stage in the Coastal Commission review process.

In accordance with the 1976 California Coastal Act, the City has a certified its LCP, which consists of the Land Use Plan and Implementation Plan. The Implementation Plan includes the Zoning Code, the Zoning map, and Subdivision Code. Therefore, modifications to the Zoning Ordinance, a part of Implementation Plan, and LCP must be certified by the Coastal Commission.

The proposed modifications made by the Coastal Commission are intended to provide consistency with the LCP and California Coastal Act. The following list is a brief summary of the modifications - the entirety of suggested modifications can be found in Attachment B:

- Suggested Modification 1: Produce a final updated land use map that accounts for the revisions included in this LCPA and all past certified LCPAs in the coastal zone.
- Suggested Modification 2: Modify the terminology used in SEASP to broaden the types of overnight accommodations allowed and encouraged.
- Suggested Modification 3: Modifications to the SEASP land use designation at the In-N-Out site to be designated as Coastal Habitat/Wetlands Recreation.
- Suggested Modification 4: Update the SEASP document to reflect plan text modifications, which includes formatting (Table of Contents, List of Tables, List of Figures, Appendices, etc.) and text references.
- Suggested Modification 5: Modify Chapter 2 of SEASP to acknowledge the recent demolition of the SeaPort Marina Hotel, and replacement with the 2nd and PCH shopping center.
- Suggested Modification 6: Modify the SEASP priority list in Chapter 3 to protect scenic views and lower-cost visitor serving accommodations.
- Suggested Modification 7: Modify SEASP Chapter 4 to add a view recovery opportunity, preserve public views of the water and wetlands, encourage landscaping to be low-water use, updates to Table 4-1, and other modifications to the SEASP plan text related to residential densities, lower-cost housing options, protection of sensitive habitat, and sea level rise adaptation measures.
- Suggested Modification 8: Add a new natural resources chapter and relocate appropriate policies from other sections of the City-adopted plan to this chapter.
- Suggested Modification 9: Modify SEASP Chapter 5, as follows, to revise the list of incentives for height and Floor Area Ratio (FAR), reinstate the more protective open space requirements under SEADIP, add a SEADIP policy requiring park replacement, incorporate the oil production standards recently certified by the Coastal Commission for SEADIP, among other revisions.
- Suggested Modification 10: Modify SEASP Chapter 6 to clarify that the SEASP Bicycle Network map would supersede the Mobility Element map and other public right-of-way clarifications.
- Suggested Modification 11: Modify SEASP Chapter 7 to require new development to adapt to (rather than accommodate) environmental change, require new street landscaping to be native and non-invasive, prioritization of coastal-dependent and visitor-serving uses, and policies for new development standards.
- Suggested Modification 12: Modify SEASP Chapter 8 to clarify that new public improvements in the coastal zone are subject to CDP requirements, Flood Zone and Sea Level Rise findings, and the Coastal Act.
- Suggested Modification 13: Modify SEASP Chapter 9, as follows, to revise references to zoning code sections associated with requirements for new development (part of the certified Implementation Plan) and update policies related to plan administration.
- Suggested Modification 14: Apply the relevant portions of the applicable suggested

modifications to the SEASP text in the proposed text for inclusion in the certified LCP document.

- Suggested Modification 15: Revise figures to reflect the coastal zone boundary as illustrated in the Coastal Commission staff report.
- Suggested Modification 16: Clarify that the intent of City Council Resolution No. RES-17-0102 is to replace SEADIP with SEASP.

The suggested modifications include changes to text and figures within multiple documents modified as part of the adoption of SEASP, which include the certified Long Beach LCP Implementation Plan Land Use Map (Attachment C - Revised Certified Coastal Land Use Map), the SEASP planning document (Attachment D - Underline Strike-Out Version of Special Plan), the LCP (Attachment E - Underline Strike-Out Version of Local Coastal Program), the post-certification coastal zone map (Attachment F - Revised Coastal Zone Post-Certification Map for SEASP Area), and the Zone Change Map (Attachment G - Zone Change Map).

In accordance with the revisions to the organization of SEASP, the required findings for General Plan consistency (Attachment H - Revised General Plan Consistency Findings) and the zone change (Attachment I - Revised Zone Change Findings) have been updated.

For the LCPA to be certified by the Coastal Commission, the City Council must take action to accept the modifications. If approved, the Ordinance will be forwarded to the Coastal Commission for final approval and certification.

This matter was reviewed by Assistant City Attorney Michael J. Mais on June 23, 2021 and by Budget Management Officer Rhutu Amin Gharib on June 8, 2021.

Public Hearing Notice

In accordance with public hearing notification requirements for a Zoning Ordinance Amendment in LBMC Section 21.21.302.C, notice of this public hearing was published in the Long Beach Press-Telegram on June 24, 2021; written notices were sent to the Coastal Commission, owners and occupants in the plan area, previous appellants, local agencies (City of Westminster, City of Seal Beach), and to anyone requesting such notice. Notices were provided to City libraries and notice posting was provided at City Hall and at three public locations in the SEASP area. A notice was mailed to all residents within 100 feet of the site.

Environmental Review

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.9 and CEQA Section 15265(a)(1) the proposed modifications are statutorily exempt. CEQA does not apply to activities and approvals by the City necessary for the preparation and adoption of an LCPA. The proposed modifications are necessary for certification of the LCPA by the Coastal Commission. No

additional action is required for Environmental Review.

Pursuant to the CEQA and the State CEQA Guidelines, an Initial Study was prepared for the project, identifying potentially significant effects. A Draft EIR (EIR 02-16) (State Clearinghouse No. 2015101075) was prepared for the project, analyzing the following environmental effects: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems (Attachment J - RES-17-0101 Certifying EIR 02-16 (SCH# 2015101075)). The Draft EIR was circulated for a 60-day public review period between July 20, 2016 and September 19, 2016. Subsequent to the Draft EIR, the section regarding Transportation and Traffic was recirculated for an additional 45-day public review period between February 17, 2017 and April 3, 2017.

The Final EIR, including responses to comments, mitigation monitoring and reporting program, errata, and corrections was posted to the City's website and distributed to commenting agencies. The City Council certified the EIR consisting of both the Draft and Final EIR. Because this project includes significant impacts after mitigation, the City Council also adopted a Statement of Overriding Considerations for the Reduced Intensity Alternative. The 2017 City Council approval also included a Mitigation Monitoring and Reporting Program for the SEASP EIR.

The proposed modifications to the SEASP planning document and LCP would not change any of the mitigation measures, environmental setting, or project circumstances of the previously approved project.

City Council action is requested on July 13, 2021, to comply with the California Coastal Act requirement that the City complete the adoption of the suggested modifications by October 8, 2021.

The recommendation does not have a direct fiscal impact. The goal of the SEASP is to attract new investment, jobs, and housing to the area. The exact timing or quantification of these activities is dependent on future actions by private property owners and any projection of their impact would be speculative. Costs associated with processing future development applications will be offset by permit fees and surcharges. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve Recommendation.

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OSCAR W. ORCI

DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

THOMAS B. MODICA
CITY MANAGER