

1. **Project Title:** 421 E 4th Street. 96 micro-unit development (2308-05)
2. **Lead Agency Name and Address:** City of Long Beach, Development Services
411 W. Ocean Boulevard, 3rd Floor
Long Beach, CA 90802
3. **Contact Person and Phone Number:** Derek Burnham. Owner. (562) 354-1430.
4. **Project Location:** 421 E 4th Street, City of Long Beach, County of Los Angeles, APNs 7281-007-081 & 7281-007-065.
5. **Project Sponsor's Name and Address:** Derek Burnham; 111 W. Ocean Boulevard, Suite 1625
Long Beach, CA 90802
6. **General Plan Designation:** DT (Downtown)
7. **Zoning:** PD-30 (Downtown Plan Planned Development District)
8. **Prior Environmental Document(s) Analyzing the Effects of the Infill Project:**
Land Use Element Environmental Impact Report (LUE EIR).
9. **Location of Prior Environmental Document(s) Analyzing the Effects of the Infill Project:**
<https://www.longbeach.gov/lbds/planning/environmental/reports/>
10. **Description of project (Describe the whole action involved. Including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation).**

The project involves demolition of the existing asphalt parking lot and construction of a new seven (7)-story, 96 micro-unit residential building, consisting of 12 affordable (very low income) units as required per the Inclusionary Ordinance, seventeen (17) vehicle parking spaces and forty-seven (47) bicycle parking spaces at grade level, and a cumulative total of 8,196 square feet of indoor and outdoor open space.
11. **Surrounding land uses and setting: Briefly describe the project's surroundings, including any prior uses of the project site, or, if vacant, describe the urban uses that exist on at least 75 percent of the project's perimeter.**

The project site is currently an asphalt parking lot without any structures or major improvements. The project is located at 421 East 4th Street, on the north side of 4th Street, between Elm Avenue to the west and Linden Avenue to the east. The site is bound by 4th Street to the south and Frontenac Court, a named 16-foot-wide alley, on the west in the PD-30 Planned Development District. Adjacent uses are typical to the downtown setting and as follows: to the North, is an Event Venue and Historic Landmark (First Christian Church). On the opposite side of the alleyway, to the East is a multi-tenant, commercial building, and to the South are additional commercial and multi-family residential uses. Adjacent to the proposed project to the West is a five (5)-story, multi-family residential building.
12. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).**

Other public agencies whose approval is potentially required include 1) the City of Long Beach Department of Development Services Housing and Neighborhood Services Bureau Housing Division, 2) the California Department of Housing and Community Development, and 3) the US Department of Housing and Urban Development. Actual approvals needed will be dependent upon the funding sources awarded to the project once land use approvals are received, and all, some, or none of the above-listed agencies may actually be required to approve the project's funding sources.

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Section 15192—Residential or Affordable Housing Criteria

A Residential Infill project or an Affordable Housing project shall meet the threshold criteria set forth below. Provide the information demonstrating that the residential infill or affordable housing project satisfies the following threshold criteria.

| Section 15192 Criteria for Residential Infill or Affordable Housing Exemption | |
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| THRESHOLD REQUIREMENTS | EXPLANATION |
| a) The project must be consistent with: | |
| 1) Any applicable general plan, specific plan, or local coastal program including any mitigation measures required by such plan or program, as that plan, or program existed on the date that the application for the project pursuant to section 65943 of the Government Code was deemed complete; and | <p>The project is consistent with the Land Use Element (LUE) of the General Plan, which allows the proposed use, type, density, height, and massing of the proposed project. The LUE, adopted in December 2019, is located online at http://www.longbeach.gov/globalassets/lbds/media-library/documents/planning/advance/lueude/land-use-element-final-adopted-december-2019. The LUE designates the project site as Downtown (DT) PlaceType. Downtown is characterized by compact, mixed-use urban development; high vehicular, pedestrian and transit traffic; and diverse building sizes heights, ages, styles and uses.</p> <p>The project also is consistent with the Urban Design Element (UDE) of the General Plan in design, architecture, materials, and purpose. No specific plan or local coastal program applies.</p> |
| 2) Any applicable zoning ordinance, as that zoning ordinance existing on the date that the application for the project pursuant to Section 65943 of the Government Code was deemed complete, unless the zoning of the project property is inconsistent with the general plan because the project property has not been rezoned to conform to the general plan. | <p>The project is consistent with the development standards of the Downtown Plan Planned Development District (PD-30), which is the applicable zoning document for the project location: https://longbeach.gov/globalassets/lbds/media-library/documents/planning/current/zoning-ordinances/pd-30. The project meets the development standards for density, building height, floor area ratio, setbacks, bicycle parking, and other related standards. The project is requesting a waiver from the provision of minimum unit size standard as outlined under the PD-30 (Downtown Plan Specific Plan), Table 3-2 Density, Unit and Lot Size. The minimum unit size may be reduced from 600 square feet to a minimum of 450 square feet through the Site Plan Review Process.</p> |
| b) Community-level Environmental Review has been adopted or certified. | <p>Certified Program Environmental Impact Report (PEIR) EIR 03-16, (State Clearinghouse No. 2015051054) was prepared for the 2019 General Plan Land Use Element Update and Urban Design Element can be found online at: http://www.longbeach.gov/link/510748a90c6a4f2090384f0950fc266a.aspx. This PEIR analyzed the entire 50 square miles within the limits of the City of Long Beach (excluding the City of Signal Hill) in Los Angeles County, California.</p> |

Section 15192 Criteria for Residential Infill or Affordable Housing Exemption

| THRESHOLD REQUIREMENTS | EXPLANATION |
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| c) The project and other projects approved prior to the approval of the project can be adequately serviced by existing utilities, and the project applicant has paid or has committed to pay, all applicable in-lieu or development fees. | Although the proposed development will add residential development on the vacant project site and therefore potentially generate an increase in utility service requirements, all utilities and services are currently in place in the surrounding infrastructure. This site is in a dense urban environment which can be adequately served by all utilities. For these reasons, no impacts associated with this issue are anticipated. |
| d) The site of the project: | |
| 1) Does not contain wetlands, as defined in Section 328.3 of Title 33 of the Code of Federal Regulations | The site is not located within a wetland area. There are no federally protected wetlands located within or near the project site. For these reasons, no impact associated with this issue is anticipated. |
| 2) Does not have any value as an ecological community upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection. | The project site is in an urbanized area and is isolated from natural wildlife areas by the surrounding urban environment. The project site does not contain a riparian habitat or other sensitive natural community. For these reasons, no impact associated with this issue is anticipated. |
| 3) Does not have any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 153 et. seq.), or by the Native Plant Protection act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), the California Endangered Species Act (Chapter 1.5 (Commencing with Section 2050) of Division 3 of the Fish and game Code. | The project site is located in an area that has been developed with mixed land uses and is isolated from natural wildlife areas by the surrounding urban development. The project site does not contain any native plant or wildlife species because it is completely built-out and improved as a parking lot. For these reasons, no impact associated with this issue is anticipated. |
| 4) Does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete. | The project site is located in an area that has been developed with mixed land uses and is isolated from natural wildlife areas by the surrounding urban development. The project site does not contain any native plant or wildlife species because it is completely built-out and improved as a parking lot. For these reasons, no impact associated with this issue is anticipated. |
| e) The site of the project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code (Cortese List). | The project site is not included on a list of hazardous materials sites, compiled pursuant to the Government Code Section 65962.5. For this reason, no impacts associated with this issue are anticipated. |

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| THRESHOLD REQUIREMENTS | EXPLANATION |
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| <p>f) The site of the project is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. In addition, the following steps have been taken in response to the results of this assessment:</p> | <p>The Phase I environmental site assessment (ESA) prepared by Pacific Environmental Company, dated February 8, 2022 (Project Number: 22024), determined that available regulatory information, historical use, and discussions with persons knowledgeable about the subject property did produce evidence of potential REC's due to the historical rug cleaning and furniture refinishing uses of the subject property along with possible regional issues associated with off-site contamination having the potential to impact the subsurface conditions of the site. The Phase I ESA recommended that a Phase II Environmental Site Assessment (ESA) be conducted to ascertain the risk associated with volatile organic compounds in soil vapor. A subsurface soil vapor sampling and testing to determine the absence or presence of contaminants of concern in the subsurface beneath the property, and also to determine if there is an unacceptable vapor intrusion risk at the property was recommended.</p> <p>Following this, an initial Phase II subsurface investigation was carried out by EFI Global, dated March 18, 2022 (Project Number: 045.08419). The purpose of the investigation was to identify the whether the historical on-site cleaning/finishing operations, or the possible regional issues associated with off-site contamination have significantly impacted the subsurface of the site. A total of six (6) soil vapor probes were advanced at 421 East 4th Street throughout the entirety of the site and a soil vapor survey was conducted. A total of seven (7) soil vapor samples were collected (six from the probes and one duplicate sample) and immediately analyzed with an onsite mobile laboratory. VOCs were not detected above laboratory reporting limits in any of the six soil vapor samples or the duplicate sample. Therefore, VOCs in soil vapor are not of concern in the areas assessed at the site. No further investigation is warranted at this time with respect to the potential RECs identified in the Phase I ESA.</p> |

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| THRESHOLD REQUIREMENTS | EXPLANATION |
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| <p>1) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.</p> | <p>Based on the results of the Phase II ESA, the consultant (EFI Global) was unable to collect or analyze any VOC contaminated samples from the six soil vapor probe locations, nor the seven soil vapor samples for immediate analysis with an onsite mobile laboratory. Therefore, this assessment has found no evidence of a significant release to the subsurface in the areas assessed that would represent a risk to human health or groundwater. Based on the findings of the assessment, no further environmental investigation is warranted at this time with respect to the RECs identified in the Phase I ESA.</p> |
| <p>2) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.</p> | <p>Based on the results of the Phase I and Phase II ESAs, no potential for exposure to significant hazards from surrounding properties or activities was found to exist for the project site.</p> |
| <p>g) The project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code.</p> | <p>The project site is a vacant parking lot. Build-out of the proposed project will not have any effect on historical resources on-site, and will not have a significant effect on historic resources off-site, pursuant to Section 21084.1 of the Public Resources Code.</p> |
| <p>h) The project site is not subject to wildland fire hazard as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of wildland fire hazard.</p> | <p>The project site is not subject to wildland fire hazard as determined by the Department of Forestry and Fire Protection (CAL FIRE), and is not located in a Fire Hazard Severity Zone of Moderate, High, or Very High, as shown on the interactive map available on the website of the Office of the State Fire Marshal: https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/. The site is located in a dense urban environment which is not subject to wildland fire hazard.</p> |

Section 15192 Criteria for Residential Infill or Affordable Housing Exemption

| THRESHOLD REQUIREMENTS | EXPLANATION |
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| i) The project site does not have an unusually high risk of fire or explosion from materials stored or used on nearby properties. | The site is immediately bounded by residential and commercial uses, including typical urban uses such as an adjacent multi-family apartment complex, a record store, and personal and professional service uses. The site is not anticipated to have an unusually high risk of fire or explosion from materials stored or used nearby. Furthermore, the City of Long Beach Fire Department provides fire protection for the proposed project area. Fire protection is addressed by the incorporation of standard design features required by the City of Long Beach to be included in the design and construction of new development such as fire hydrants, sprinklers, fire flow standards, access requirements, construction requirements, and other measures designed to increase fire safety. |
| j) The Project site does not present a risk of public health exposure at a level that would exceed the standards establish by any state or federal agency. | The Project site does not present a risk of public health exposure at a level that would exceed the standards establish by any state or federal agency, either from the proposed use (residential) or from adjacent uses (residential and typical urban commercial). Building, Fire and Health codes provide sufficient requirements that protect from the risk of exposure of health exposures. |
| k) Either the project site is not within a delineated earthquake fault zone or a seismic hazard zone, as determined pursuant to Section 2622 and 2696 of the Public Resources Code respectively, or that the applicable general plan or zoning ordinance contains provisions to mitigate the risk of earthquake or seismic hazard. | The site is not located within a delineated earthquake fault zone (Alquist-Priolo Earthquake Fault Zone) or a seismic hazard zone, as shown on the interactive map available on the California Department of Conservation, California Geological Survey website: https://maps.conservation.ca.gov/cgs/EQZApp/app/ . |
| l) Either the project site does not present a landslide hazard, flood plans, flood way, or restriction zone, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of landslide or flood. | The project site is located in a relatively flat urban setting and is not located in a hazard area of landslide, flood plans, flood way, or restriction zone. |
| m) The project site is not located on developed open space. | The project site consists of a vacant parking lot, is not located on developed open space, and is not zoned for open space nor designated open space in the Land Use Element of the General Plan. |
| n) The project site is not located within the boundaries of a state conservancy. | The project site is not located within the boundaries of a state conservancy. |
| o) The Project has not been divided into small projects to qualify for one or more of the exemptions set for the in sections 15193 or 15195. | The Project has not been divided into small projects to qualify for one or more of the exemptions set for the in sections 15193 or 15195. The project consists of the entirety of the proposed development for this site, and no related development is proposed on adjacent sites. |

SECTION 15194—AFFORDABLE HOUSING EXEMPTION

| Section 15194—Affordable Housing Exemption Checklist | | |
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| AFFORDABLE HOUSING PROJECT CRITERIA | YES | NO |
| a) The project meets the thresholds criteria set forth in section 15192. (See Checklist included in this packet.) | X | |
| b) The project meets the following size criteria: The project site is not more than five (5) acres in area. | X | |
| c) The project meets both of the following requirements regarding location: | | |
| 1) The project meets one of the following location requirements relating to density: | | |
| A) The Project site is located within an urbanized area or within a census-defined place with a population density of at least 5,000 persons per square mile. | X | |
| B) The project consists of 50 or fewer units, the project site is located within an incorporated city with a population density of at least 2,500 persons per square mile and a total population of at least 25,000 persons. | | X |
| C) The project is located within either an incorporated city or a census defined place with a population density of at least 1,000 persons per square mile and there is no reasonable possibility that the project would have a significant effect on the environment or the residences of the project due to unusual circumstances or due to the related or cumulative impacts of reasonable foreseeable projects in the vicinity of the project. | X | |
| 2) The project meets one of the following site-specific location requirements: | | |
| A) The project site has been previously developed for qualified urban uses. | | X |
| B) The parcels immediately adjacent to the project site are developed with qualified urban uses. | X | |
| C) The project site has not been developed for urban uses and all of the following conditions are met: 1. No parcel within the site has been created within 10 years prior to the proposed development of the site. 2. At least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses. 3. The existing remaining 25 percent of the perimeter of the site adjoins parcels that have previously been developed for qualified urban uses. | X | |
| d) The project meets both of the following requirements regarding provision of affordable housing. | | |
| 1) The project consists of the construction, conversion, or use of residential housing consisting of 100 or fewer units that are affordable to low-income households. | X | |
| 2) The developer of the projects provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for lower income households for a period of at least 30 years, at monthly housing costs deemed to be "affordable rent" for lower income, very low income, and extremely low income households, as determined pursuant to Section 50053 of the Health and Safety Code. | X | |

SECTION 15195—RESIDENTIAL INFILL HOUSING EXEMPTION

| Section 15195—Residential Infill Housing Exemption Checklist | | |
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| INFILL HOUSING PROJECT CRITERIA | YES | NO |
| a) Except as set forth in subdivision (b), CEQA does not apply to any development project that meets the following criteria: | | |
| 1) The project meets the threshold criteria set forth in section 15192; provided that with respect to the requirement in Section 15192(b) regarding community-level environmental review, such review must be certified or adopted within five years of the date that the lead agency deems the application for the project to be complete pursuant to Section 65943 of the Government Code. | X | |
| 2) The project meets both of the following size criteria: | | |
| A) The site of the project is no more than four (4) acres in total area. | X | |
| B) The project does not include any single level building that exceeds 100,000 square feet. | X | |
| 3) The project meets both of the following requirements regarding location: | | |
| A) The project is a residential project on an infill site. | X | |
| B) The project is within one-half mile of a major transit stop. | X | |
| 4) The project meets both of the following requirements regarding number of units: | | |
| A) The project does not contain more than 100 residential units. | X | |
| B) The project promotes higher density infill housing. The lead agency may establish its' own criteria for determining whether the project promotes higher density infill housing except in either of the following two circumstances: | X | |
| 1. A project with a density of at least 20 dwelling units per acre is conclusively presumed to promote higher density infill housing. | X | |
| 2. A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher density infill housing unless the preponderance of the evidence demonstrates otherwise. | N/A | N/A |
| 5) The project meets the following requirements regarding availability of affordable housing: The project would result in housing units being made available to moderate, low or very low-income families as set forth in either A or B below: | | |
| A) The project meets one of the following criteria, and the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units as set forth below at monthly housing costs determined pursuant to paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code. | | |
| 1. At least 10 percent of the housing sold to families of moderate income, or: | | X |
| 2. Not less than 10 percent of the housing is rented to families of low income, or | | X |

Section 15195—Residential Infill Housing Exemption Checklist

| INFILL HOUSING PROJECT CRITERIA | YES | NO |
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| 3. Not less than 5 percent of housing is rented to families of very lone income. | X | |
| B) If the project does not result in housing units being available as set forth in subdivision (A) above, then the project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to subparagraph (A). | | X |
| b) A project that otherwise meets the criteria set forth in subdivision (a) is not exempt from CEQA if any of the following occur: | | |
| 1) There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances. | | X |
| 2) Substantial changes with respect to the circumstances under which the project is being undertaken that are related to the project have occurred since community-level environmental review was certified or adopted. | | X |
| 3) New information becomes available regarding the circumstances under which the project is being undertaken and that is related to the project that was not known, and could not have been know at the time that community-level environmental review was certified or adopted. | | X |
| If a project is not exempt from CEQA due to subdivision (b), the analysis of the environmental effects of the project covered in the EIR or the negative declaration shall be limited to an analysis of the project-specific effect of the projects and any effects identified pursuant to subdivision (b) (2) and (3). | | |