

# Chapter 8 Introduction to the Final EIR

## 8.1 CEQA REQUIREMENTS

Before approving a project that may cause a significant environmental impact, the California Environmental Quality Act (CEQA) requires the Lead Agency to prepare and certify a final environmental impact report (EIR). The contents of a Final EIR are specified in CEQA Guidelines Section 15132, which states that:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the Draft EIR.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.

The City of Los Angeles as Lead Agency has provided each public agency that commented on the Draft EIR with a copy of City's response to those comments at least 10 days before certifying the Final EIR. In addition, the City may also provide an opportunity for members of the public to review the Final EIR prior to certification, though this is not a requirement of CEQA.

## 8.2 PUBLIC REVIEW PROCESS

At the outset of the environmental review process, the City published a Notice of Preparation (NOP) and distributed it to the State Clearinghouse, trustee agencies, responsible agencies, and other interested parties on January 31, 2008 (State Clearinghouse No. 2008021004). The NOP for the San Pedro Community Plan EIR was circulated for a 30-day public review and comment period. Information, data, and observations resulting from public input are included throughout this Draft EIR where relevant. A public scoping meeting was held on February 20, 2008. The purpose of this meeting was to provide early consultation for the public to express their concerns about the Proposed Plan, and acquire information and make recommendations on issues to be addressed in the Draft EIR. The NOP and public scoping meeting comments are included as Appendix A of the DEIR.

The Draft EIR for the San Pedro Community Plan (Proposed Plan or Proposed Project) was circulated for review and comment by the public, agencies, and organizations initially for a 45-day public review period that began on August 9, 2012, and concluded on September 24, 2012. The comment period was subsequently extended on request to October 9, 2012. In response to the Draft EIR, 15 written letters were received during the review period. This document summarizes the project information presented in the Draft EIR and contains responses to comments on environmental issues received from agencies, organizations, and persons who reviewed the Draft EIR. This Final EIR is comprised of four chapters:

**Chapter 8 – Introduction to the Final EIR:** This chapter includes an overview of the Proposed Project, a summary of the alternatives considered, and a summary of the project’s environmental impacts.

**Chapter 9 – Comments and Responses:** This chapter contains all of the written comments received by the City of Los Angeles during the public review period for the Draft EIR and responses to each of those comments.

**Chapter 10 – Additions and Corrections:** This chapter provides a list of changes that were made to the Draft EIR in response to comments received during the 60-day public review period, and through the San Pedro Community Plan public hearing and adoption process, as well as clarifying language regarding intent, consistency and other non-substantive changes.

Issues raised by the public in response to the Draft EIR warrant clarification or correction of certain statements in the Draft EIR but none of the corrections and additions constitute “significant new information” as defined by CEQA Guidelines Section 15088.5. Information can include changes in the project or environmental setting as well as additional data or other information. New information is not significant unless the EIR is changing in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect. Significant new information could include the following:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Corrections and additions to the Draft EIR found in this Final EIR and changes to the Proposed Project do not constitute “significant new information” as defined above.

**Chapter 11 – Mitigation and Monitoring Program:** This chapter describes the procedures for implementing the mitigation measures to be adopted for the proposed project as identified in the Draft EIR and revised in the Final EIR.

## 8.3 PROJECT BACKGROUND

The City of Los Angeles General Plan is composed of the following state mandated elements: Conservation, Housing, Land Use, Open Space, Noise, Safety, and Circulation (Mobility). In addition to the seven State mandated elements, the City's General Plan includes these other optional elements: Air Quality, Infrastructure Systems, Plan for a Healthy Los Angeles Element and Public Recreation Plan. Lastly, the City’s General Plan includes the Framework Element, which provides a strategy for long-term growth, guiding individual Community Plans and other citywide elements. In the City of Los Angeles, the

Land Use Element is comprised of 35 Community Plans. The Proposed Project is one of the 35 Community Plans.

The proposed NCP is a comprehensive revision of the existing adopted San Pedro Community Plan (existing Community Plan) that was last updated in 1999. It sets forth land use designations, policies, and implementing measures applicable to the Community Plan Area (CPA). The existing Community Plan was designed to accommodate population and employment growth in the CPA through the year 2010. In order to keep the existing community plans up-to-date, the City established the NCP Program. The intent of the NCP Program is to update community plans regularly in order to respond to changes in a manner consistent with the Framework Element; encouraging smart growth, and identifying appropriate locations for new development while conserving neighborhood character. The NCP Program also seeks to minimize lengthy discretionary approvals, and provide certainty and predictability for developers, homeowners and anyone else concerned with the future development of the City of Los Angeles. The existing Community Plan is being revised under this program, and the Proposed Project will guide land use development through 2030.

## **8.4 SUMMARY OF THE PROPOSED PROJECT**

The Proposed Project is an update of the San Pedro Community Plan. The San Pedro Community Plan is one of the 35 Community Plans, which comprise the Land Use Element of the City's General Plan. The Proposed Plan is intended to promote an arrangement of land uses and services that will encourage and contribute to the economic, social, and physical health, safety, welfare, and convenience of the people who live and work in the CPA. The Proposed Plan will also improve the link between land use and transportation in a manner that is consistent with the General Plan Framework Element, the Citywide growth strategy. The objectives, policies, and programs of the Proposed Plan are specific, action-oriented ideals which the City will promote during the lifespan of the Proposed Plan.

The Proposed Plan describes the capacity for future development for a portion of the City. Adoption of the Proposed Plan would result, for portions of the CPA, in changes to zoning and height districts, changes to land use designations, and amendments to development regulations and standards, consistent with the General Plan Framework Element, to enhance the unique character of the neighborhoods, and accommodate projected growth in the CPA. More specifically, the Proposed Plan includes the adoption of the San Pedro Community Plan Implementation Overlay (CPIO) District, which implements development standards tailored to targeted areas of the CPA. A detailed project description is provided in Chapter 3.0 Project Description.

The Proposed Project includes updates to the goals, policies and implementation programs of the existing Community Plan as well as establishes a series of implementing actions, all which are intended to fulfill the NCP Program goals and objectives, as described in the Project Description, Chapter 3 of the Draft EIR and further elaborated below.

The Proposed Project includes:

- Update the existing 1999 San Pedro New Community Plan Text (Policy Document) which is to guide development in this Community Plan Area through 2030 (“Community Plan Update”);
- Update general plan land use designations and corresponding zones (also referred to as the “Plan Map”), including map footnotes and symbol changes;
- Amend the applicable Circulation Element (Mobility Plan 2035) of the General Plan as necessary for consistency with the Community Plan Update;
- Adopt any zone and height district changes necessary to implement the Community Plan Update;
- Repeal the Downtown San Pedro Community Design Overlay ordinance (Ordinance No. 179,935); and
- Adopt the San Pedro Community Plan Implementation Overlay District (CPIO) to implement the Community Plan Update

CEQA requires an EIR to include a statement of the objectives sought by a proposed project, and the statement of objectives should include the underlying purpose of the project.

## Underlying Purpose of Project

The underlying purpose of the Proposed Plan is to plan for and accommodate foreseeable growth in the City, including the Proposed Plan areas, consistent with the growth strategies of the City as provided in the Framework Element, as well as the policies of SB 375 and the Sustainable Communities Strategy.

The Draft EIR included a list of project goals and objectives in the Project Description of the Draft EIR on page 2-2. The organization of the Proposed Plan objectives below further clarify the City’s priority for these objectives and are implemented through adoption of the various project features of the Proposed Project.

## Objectives of Project

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15124, the following specific project objectives for the Proposed Plan support the underlying purpose of the project, assist the City as Lead Agency in developing a reasonable range of alternatives to evaluate in this EIR, and will ultimately aid the decisionmaker in preparing findings and overriding considerations, if necessary.

The **Primary Objectives** of the Project are to:

- Accommodate projected population, housing, and employment growth consistent with the City of Los Angeles General Plan Framework Element and SB 743.
- Improve the function and design of neighborhoods and districts throughout the CPA to address the compatibility of industrial sites with adjacent non-industrial uses; strengthen the attractiveness and the connectivity of multi-family neighborhoods to amenities and services in Downtown San Pedro and adjacent commercial corridors, and preserve and strengthen the appearance of Downtown San Pedro and adjacent commercial corridors to promote economic activity and revitalization.
- Preserve residential neighborhoods and maintain community character.
- Retain industrial areas for future employment opportunities.

- Improve the function and design of neighborhoods throughout the plan area

The **Secondary Objectives** of the Project are to:

- Encourage and promote a variety of mobility options including local and regional transit, and multiple modes of travel.
- Protect natural, historic and cultural resources to enhance community identity.
- Land Use and Zoning Consistency by correcting inconsistencies between land use designation and zoning.

The Proposed Project addresses both Primary and Secondary Objectives in the following ways:

<b>Table 8-1</b>	<b>Project Features</b>
1.	Retain the Regional Commercial land use designation and C2 zoning in the Downtown San Pedro area bounded by 3rd Street, Harbor Boulevard, 7th Street, and Mesa Street.
2.	Amend General Plan Land Use Designations and/or zones on selected properties near Downtown San Pedro, Gaffey Street, Pacific Avenue, and Harbor Boulevard, to incentivize new development. The San Pedro Community Plan Implementation Overlay (CPIO), would improve aesthetics and address transitions between new development and existing uses. <ul style="list-style-type: none"> <li>■ Redesignate select parcels to Community Commercial land use designations to allow greater intensity and variety of commercial uses, generally west of the Regional Center to Pacific Avenue, south to 8th Street, and north along Harbor Boulevard to Vincent Thomas Bridge.</li> <li>■ Replace restrictions that limit intensity of commercial uses and densities of residential uses on Gaffey Street and Pacific Avenue.</li> <li>■ Redesignate select parcels along Pacific Avenue and 9th Street to Neighborhood Commercial, to allow neighborhood serving commercial uses.</li> <li>■ Amend regulations in the Downtown San Pedro area generally bounded by 5th Street, Pacific Avenue, 9th Street, and Gaffey Street, to increase the maximum FAR from 1.5 to 3.0, in order to increase housing opportunities near Downtown San Pedro and adjacent commercial corridors.</li> </ul>
3.	Establish the San Pedro CPIO to: <ul style="list-style-type: none"> <li>■ Require ground-floor commercial or non-residential uses on selected properties in Downtown San Pedro, and along the Gaffey Street, Pacific Avenue, and Harbor Boulevard commercial corridors, in order to provide additional commercial uses and services to the CPA. Prohibit or restrict incompatible uses throughout the CPIO area.</li> <li>■ Regulate land uses on selected properties designated for multiple-family residential, commercial, and industrial uses to ensure new development complements existing character and scale of neighborhoods, provide transitions, and encourages more walkable, pedestrian oriented areas.</li> <li>■ Ensure that new development complements existing character and scale through design standards. Integrate Downtown San Pedro Community Design Overlay guidelines into the proposed San Pedro CPIO. Integrate the Pacific Corridor guidelines into the San Pedro CPIO as a part of the CRA transition.</li> <li>■ Incentivize clean- or green-tech uses in the Industrial A, B, and C Subareas by allowing an FAR increase from 1.5:1 to 3.0:1, and a maximum height increase from 30 feet to 55 feet.</li> <li>■ Require publically-accessible open space as a part of new development in Downtown San Pedro and commercial corridors. This can include plazas, outdoor dining areas, or other landscaped accessible spaces.</li> </ul>
4.	Direct growth away from single-family neighborhoods to Downtown San Pedro and adjacent commercial corridors where greater amenities, infrastructure, and compatibility are found through land use designation and zone changes. <ul style="list-style-type: none"> <li>■ Retain R1 zoning for single-family residential neighborhoods.</li> </ul>
5.	A new land use designation, Hybrid Industrial, is proposed for parcels on 7th Street, from Mesa Street to Palos Verdes Street, to allow residential mixed uses if a specific mix of targeted job-producing light industrial uses is provided on the site. Artisanal uses are also encouraged.
6.	Restrict zoning in industrially designated parcels in the CPA to prohibit incompatible industrial uses, and prohibit non-industrial uses such as large-scale retail. Retain existing restrictions that prohibit uses such as truck terminal and yards, recreation vehicle storage, small boat building, and concrete manufacturing.

**Table 8-1 Project Features**

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| 7. Include Community Plan policies that focus growth in Downtown San Pedro to maximize transit opportunities for San Pedro residents, local employees, and waterfront tourists. <ul style="list-style-type: none"> <li>■ 6th Street between Harbor Boulevard and Pacific Avenue is identified as a pedestrian priority street to increase pedestrian activity and connection to the waterfront.</li> </ul>   |
| 8. Modify selected street designations to reflect existing street dimensions and to better accommodate walking, bicycling, and transit. Modified streets include but not limited to 9th Street and Pacific Avenue.   |
| 9. Include Community Plan programs that encourage the preservation of culturally and historically significant sites.   |
| 10. Maintain existing San Pedro Specific Plan to protect coastal assets.   |
| 11. Revise selected General Plan Land Use designations and corresponding zones as part of the effort to create consistency with the Framework Element. Several designations would be replaced or eliminated (i.e., General Commercial is eliminated; Regional Commercial replaces Regional Center; Neighborhood Commercial replaces Neighborhood Office Commercial; Light, Limited, and Heavy Manufacturing categories would be renamed with Light, Limited, and Heavy Industrial designations; the Parking buffer designation would be eliminated.) |

The proposed San Pedro NCP would promote the physical arrangement of land uses that best encourage and contribute to the economic, social, and physical health, safety and welfare of the people who live and work in the San Pedro CPA. The Proposed Project will also allocate land for the range of uses that the community will need through 2030, consistent with the Framework Element.

The Proposed Project was developed with a variety of policies to establish lively and walkable commercial areas, especially around Downtown San Pedro and the Gaffey Street and Pacific Avenue corridors, while retaining elements of San Pedro’s distinct small town character. The Proposed Plan also encourages and incentivizes uses and development that improve connectivity between Downtown San Pedro and the waterfront, and leverages the proximity of the Port of Los Angeles to San Pedro’s industrial areas.

The Proposed Project includes new policies and programs, as well as zone changes, General Plan land use designation, General Plan footnotes, establishes overlay zones, and modifies street designations, as appropriate. While the policies and programs contained in the San Pedro NCP apply throughout the CPA, it is important to note that zone changes being proposed are targeted to specific geographic areas and do not affect every parcel in the San Pedro CPA. The majority of the changes under the Proposed Plan revise existing regulations and incorporate them into updated regulatory tools, and focus housing, population, and employment, in and around Downtown San Pedro. The Proposed Plan would generally maintain the current land use pattern and housing density. Overall, the Proposed Plan and implementing ordinances do not introduce major changes to land use in the San Pedro Community Plan area.

The Proposed Plan text contains policies and programs to protect the character of low-scale residential neighborhoods, to preserve and enhance the positive characteristics of existing land uses, and to direct projected growth, if and when it occurs, to areas better served by community-serving uses. The policies included in the Proposed Plan emphasize the importance of planning for sustainability, improved mobility, preservation of open space, and improved design.

Under the Proposed Project, the San Pedro CPA would have the capacity for approximately 34,731 dwelling units, 83,354 residents, and 19,074 jobs. Housing, population and employment capacity within the San Pedro CPA would accommodate the SCAG 2030 projects and be increased consistent with the General Plan Framework Element through a series of General Plan amendments and zone changes proposed within targeted areas.

## **8.5 SUMMARY OF THE PROPOSED PROJECT IMPACTS**

As set forth in Section 5.3 of the DEIR, any potential impacts to agriculture and forestry resources were scoped out of the EIR as they were determined not to be significant pursuant to CEQA Guidelines Section 15128.

The remaining impacts of the Proposed Project fall into three categories: (1) impacts which are less-than-significant or no impact when compared to the environmental impact thresholds, (2) significant impacts that can be mitigated to less-than-significant levels, and (3) significant and unavoidable impacts.

### **8.5.1 Less-than-Significant or No Impact**

Based on the analysis contained in this Draft EIR, the following environmental topics were found to result in a less-than-significant impact or no impact:

- Biological Resources
- Cultural Resources
- Geology/Soils and Mineral Resources
- Safety/Risk of Upset (Hazards and Hazardous Materials)
- Land Use/Planning
- Population, Housing, and Employment

### **8.5.2 Significant Impacts that can be Mitigated to a Less-than-Significant Level**

Based on the analysis contained in the Draft EIR, the following environmental topics were found to result in a less-than-significant impact with implementation of mitigation measures:

- Public Services and Recreation

### **8.5.3 Significant and Unavoidable Impacts**

Based on the analysis contained in the Draft EIR, significant and unavoidable adverse impacts would occur for the following environmental topics:

- Aesthetics
- Air Quality
- Greenhouse Gas Emissions
- Hydrology/Water Quality
- Noise
- Transportation/Traffic
- Utilities/Service Systems

## 8.6 NOTICING AND AVAILABILITY OF THE DRAFT EIR

In compliance with CEQA Guidelines Section 15082, a NOP for the Proposed Project was circulated for a period of 30 days beginning January 31, 2008 to provide an opportunity for interested parties to comment on the scope of the EIR. A public scoping meeting was held on February 20, 2008. The Draft EIR for the Proposed Project was prepared pursuant to the CEQA Guidelines. In compliance with CEQA Guidelines Sections 15083 and 15087, a Notice of Availability of the Draft EIR was circulated for a 45-day period from August 9, 2012 through September 24, 2012. However, in response to requests by interested parties, the review period was extended to 60 days and closed on October 9, 2012. During the same period, the Draft EIR was made available for public review, in accordance with CEQA Guidelines Section 15087. The Lead Agency received 15 written letters from agencies and the public during the review period. A public hearing was also held on the Proposed Project on December 12, 2012 and comments raised on the Draft EIR at this meeting are also addressed in this Final EIR. These comments and the corresponding responses are presented in Chapter 9, Comments and Responses in this Final EIR.