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FROM: Department of Development Services
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Environmental Fillings
12400 E. Imperial Hwy., Room 1201
Norwalk, CA 90650

Two dashed rectangular boxes for additional recipient information.

Exemption Number: _____

Project Title (Application Number): _____

Project Location – Specific: _____

Project Location – City/County: **City of Long Beach, Los Angeles County, California**

Description of Nature, Purpose and Beneficiaries of Project:

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Public Agency Approving Project: **City of Long Beach, California**

Person or Agency Carrying Out Project: _____

Exempt Status: **(Check One)**

- Ministerial (Sec 21080(b)(1); 15268);
- Declared Emergency (Sec 21080(b)(3); 15269(a));
- Emergency Project (Sec 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemption. State code number: _____

Reasons why project is exempt:

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Lead Agency

Contact Person: _____ Contact Phone: _____

Signature: Alex Muldrow Date: _____ Title: _____

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
STATEMENT OF SUPPORT
SECTION 15301, CLASS 1, EXISTING FACILITIES,
SECTION 15305, CLASS 5, MINOR ALTERATIONS IN LAND USE LIMITATIONS,
SECTION 15308, CLASS 8, ACTIONS BY REGULATORY AGENCIES FOR
PROTECTION OF THE ENVIRONMENT**

**Victory and Santa Cruz Parks
(Ocean Boulevard, between Golden Shore and Alamitos Avenue)
Application No. CE-23-113
September 13, 2023**

The California Environmental Quality Act (CEQA) applies to proposed projects initiated by, funded by, or requiring discretionary approvals from state or local government agencies. CEQA Guidelines apply generally to discretionary actions by agencies which may have a significant effect on the environment. However, where it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment, and if the activity meets the conditions for a Categorical Exemption, it is considered exempt from the provisions of CEQA.

Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a listing of types of projects that are determined not to have a significant effect on the environment and which, therefore, are exempt from CEQA clearance. Section 15061, Review for Exemption, of the CEQA Guidelines outlines the process for determining whether a project is exempt from CEQA. Pursuant to this section, a project is exempt from CEQA if:

- 1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
- 2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
- 3) The activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
- 4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
- 5) The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.

The proposed action is a Local Coastal Program Amendment to repeal the 1989 Victory Park Design Guidelines and adopt the updated Victory Park/Santa Cruz Park Design Guidelines (proposed project). The proposed project would establish updated design guidelines for Victory Park and Santa Cruz Park in the Downtown Shoreline Planned Development (PD-6) District of the City of Long Beach (City).

The Updated Victory Park/Santa Cruz Park Design Guidelines (Design Guidelines) would apply to the existing Victory and Santa Cruz Parks. Specifically, Victory Park is located on the south side of Ocean Boulevard at the first 80 feet south of the Ocean Boulevard sidewalk, spanning between Queens Way and Collins Way and between Hart Place and Shoreline Drive. Santa Cruz Park similarly spans the first 30 to 40 feet south of the Ocean Boulevard sidewalk, between Golden Shore and Cedar Avenue. Overall, the area of the combined parks spans along Ocean Boulevard between Golden Shore and Alamitos Avenue; however, the updated Design Guidelines would not apply to the segment of Victory Park in front of the Performing Arts Center Plaza, located at 300 East Ocean Boulevard. Although these parks are directly in front of developments along the south side of Ocean Boulevard and are maintained by the private owners of these developments, these parcels are publicly owned.

The purpose of the updated Design Guidelines is to ensure that the parkland consisting of Victory Park and Santa Cruz Park is available for the enjoyment of the residents and the general public of the City and to coordinate the design and renovation of the park. The Design Guidelines contain the following components:

- Context, which discusses the vision statement, goals and design principles, park segments and zones, and application of the guidelines;
- Design Guidelines, which discusses topics such as setbacks and encroachment, grading and drainage, and sustainable and resilient design strategies;
- Precedent Design, which discusses topics such as architectural elements, site amenities, and landscape planting; and
- Implementation, which discusses operations, maintenance, and emergency access.

Sections 15301 through 15333 of the CEQA Guidelines describe the 33 classes of projects, also known as Categorical Exemptions. The following discussion has been prepared to confirm that the proposed project qualifies for a Categorical Exemption under CEQA Guidelines Sections 15301 (Class 1), 15305 (Class 5), and Section 15308 (Class 8). As discussed in the following assessment, the proposed project is not barred by any of the Exceptions set forth in Section 15300.2. Therefore, no additional environmental analysis is warranted under CEQA.

CEQA Sections 15301, 15305, and 15308:

Section 15301, Class 1, Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

Section 15305, Class 5, Minor Alterations in Land Use Limitations

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;
- Issuance of minor encroachment permits;
- Reversion to acreage in accordance with the Subdivision Map Act.

Section 15308, Class 8, Actions by Regulatory Agencies for Protection of the Environment

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

CEQA Section 15300.2. Exceptions:

- a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment, may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

The implementation of the updated Design Guidelines would apply only to the existing Victory and Santa Cruz Parks, located along Ocean Boulevard between Golden Shore and Alamos Avenue, with the exception of the segment of Victory Park in front of the Performing Arts Center Plaza. Victory and Santa Cruz Parks are located in the urbanized downtown area of the City and are surrounded by commercial, retail, and multi-family residential development and roadways. Implementation of the project would not change the existing location or use of the existing parks. Park improvements resulting from the adoption of the updated Design Guidelines would be limited to the existing parkland boundaries. Therefore, the location of the existing parks would not represent a location of hazardous or critical concern related to mapped and adopted laws.

- b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type, in the same place, over time is significant.**

As discussed previously, the updated Design Guidelines would be implemented over time to ensure that the parkland consisting of Victory Park and Santa Cruz Park is available for the enjoyment of the residents and the general public of the City and to coordinate the design and renovation of the park. There are no successive projects proposed for the parkland. As the proposed project does not include any physical development and the design guidelines would be implemented in future proposed renovations of the parkland, environmental effects of the proposed project would not be significant. Therefore, the environmental effects would not combine to cause a cumulatively considerable impact.

- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The proposed project presents no unusual circumstances or special environmental constraints that could lead to a significant impact. The proposed project would consist of the adoption of the updated Guidelines, which would apply to existing and designated public parkland. Further, the project would not involve construction activities or modify the properties containing the parkland. Therefore, the proposed project would not result in significant effects to the environment.

- d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The project site includes Victory Park and Santa Cruz Park, which are maintained by the City's Department of Parks, Recreation, and Marine. According to the California Department of Transportation's Scenic Highway Mapping Program, there are no designated or eligible scenic highways adjacent to or near the project site.¹ According to the Urban Design Element of the City's General Plan, the roadway of Ocean Boulevard and Livingston Drive is an existing City-designated scenic route. In addition, the scenic route system will be expanded to include Ocean Boulevard on the Belmont Peninsula, the

¹ California Department of Transportation, n.d., Scenic Highway Mapper, available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed September 12, 2023.

Promenade in Downtown, the Los Angeles River and San Gabriel River corridors, Appian Way along the Colorado Lagoon, Marine Stadium, Studebaker Road, the approach road to Rancho Los Cerritos, and the entire stretch of Pacific Coast Highway. These roadways are, or will become scenic highways by 2030.² Therefore, although Victory Park and Santa Cruz Park are located along Ocean Boulevard, the proposed project would not impact a currently-designed state scenic highway. Further, the updated Design Guidelines would seek to unify the characteristics of the existing park elements to relate to the park's history and surrounding context, and as a result, improve the scenic nature of the existing parkland and Ocean Boulevard. Therefore, the proposed project would not result in damage to scenic resources within an officially designated state scenic highway.

e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to section 65962.5 of the government code.

According to the GeoTracker database maintained by the California Water Boards, there are seven leaking underground storage tank (LUST) Cleanup Sites along Ocean Boulevard between Golden Shore and Alamitos Avenue, with two sites within the existing park boundaries. However, all LUST Cleanup Sites have a status of "Completed – Case Closed".³ Therefore, there are no active sites and these LUST Cleanup Sites would have no impact on the proposed project.

According to the Department of Toxic Substances Control's EnviroStor database, a search along Ocean Boulevard between Golden Shore and Alamitos Avenue yields a Military Evaluation site, located at 300 East Ocean Boulevard and classified as "Inactive – Needs Evaluation;" and a Tiered Permit site, located near 301 East Ocean Boulevard and classified as "Refer: Other Agency."⁴ However, both sites are located outside of the existing parkland boundaries. The Military Evaluation site is located at the Performing Arts Center Plaza where the proposed project would not apply, and the Tiered Permit site is located on the north side of Ocean Boulevard. As such, there would be no impacts from the cleanup sites.

² City of Long Beach, December 2019, General Plan - Urban Design Element, page 23.

³ California Water Boards, n.d., GeoTracker Database, available at: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=ocean+boulevard+and+gold+en+shore%2C+long+beach%2C+ca#>, accessed September 12, 2023.

⁴ California Department of Toxic Substances Control, n.d., EnviroStor, available at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=ocean+boulevard+and+golden+shore%2C+long+beach%2C+ca>, accessed September 13, 2023.

Finally, a review of the California Environmental Protection Agency's Cortese List of Data Resources determined that the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.⁵

f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

According to the National Register of Historic Places⁶, California Register of Historical Resources⁷, and the City's General Plan Historic Preservation Element⁸ which contains a list of local historic landmarks, Victory Park and Santa Cruz Park are not listed as historic resources. Although there are historic resources located along Ocean Boulevard between Golden Shore and Alamitos Avenue, the proposed project would adopt the updated Design Guidelines applicable only to the existing parkland, and would not include construction activities or modify any existing properties adjacent to the parkland. Therefore, the proposed project would not result in adverse effects to historic resources.

Findings

As previously discussed, it is anticipated that the proposed project qualifies for a Categorical Exemption under CEQA Guidelines Sections 15301 (Class 1), 15305 (Class 5), and Section 15308 (Class 8). As stated in CEQA Guidelines Sections 15301, 15305, and 15308, the Class 1, Class 5, and Class 8 Categorical Exemptions require a project to meet the following conditions:

- **Section 15301, Class 1, Existing Facilities:** The project would consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

The proposed project would allow the adoption of the updated Design Guidelines, which would result in a more consistent, accessible, and sustainable design for the existing parkland. The proposed project would not result in a change or expansion of the existing land use. Therefore, the project is consistent with these criteria.

⁵ California Environmental Protection Agency, 2023, Cortese List Data Resources, available at: <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed September 12, 2023.

⁶ National Park Service, 2023, National Register Database and Research, available at: <https://www.nps.gov/subjects/nationalregister/database-research.htm>, accessed September 13, 2023.

⁷ California Office of Historic Preservation, California Historical Resources, available at: <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=19>, accessed September 13, 2023.

⁸ City of Long Beach, Adopted June 2010, General Plan Historic Preservation Element, pages 41-46.

- **Section 15305, Class 5, Minor Alterations in Land Use Limitations:** The project would consist of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:
 - Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;
 - Issuance of minor encroachment permits;
 - Reversion to acreage in accordance with the Subdivision Map Act.

The length of Victory and Santa Cruz Parks, from Golden Shore and Alamitos Avenue, is relatively flat and has an average slope of approximately 2.8 percent . As such, the proposed project would be located in an area with an average slope of less than 20 percent. The proposed project would guide future improvements at the existing parkland, such as setbacks; drainage improvements; signage; pathways/walkways; amenities, including benches, hydration stations, public art, and lighting; and landscaping elements. Park improvements resulting from the adoption of the updated Design Guidelines would not change the existing land use or density of the parcels comprising the parks. Therefore, the proposed project is consistent with these criteria.

- **Section 15308, Class 8, Actions by Regulatory Agencies for Protection of the Environment:** The project would consist of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

The proposed project would allow for the maintenance, restoration, enhancement, and protection of the existing Victory Park and Santa Cruz Park. In alignment with these actions, the goals of the updated Design Guidelines include the following:

- Celebrate Victory Park/Santa Cruz Parks status as the City's oldest public park by creating an iconic space that reinforces a sense of place in Downtown Long Beach;
- Restore parkland over time through the elimination of obstructions such as retaining walls, utilities, driveways, and other barriers to the overall connectivity of the park;
- Establish a maintenance regime and standards to ensure the consistent and adequate maintenance of Victory Park/Santa Cruz Park by adjacent property owners; and
- Promote best practices for sustainable design.

Furthermore, the project would not involve construction activities or the relaxation of standards allowing environmental degradation. Therefore, the project would be consistent with these criteria.

Conclusion:

As shown, the proposed project is consistent with the requirements of CEQA Guidelines Sections 15301, 15305, and 15308. As such, the proposed project qualifies for the Class 1, Class 5, and Class 8 Categorical Exemptions.