

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD, SUITE 300
LONG BEACH, CA 90802-4325
VOICE (562) 590-5071
FAX (562) 590-5084



W19c

ADDENDUM

December 12, 2023

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM W19c, APPEAL NO. A-5-LOB-23-0046 (CP VI Marketplace, LLC) FOR THE COMMISSION MEETING OF WEDNESDAY, DECEMBER 13, 2023.**

This addendum is designed to provide a response to the submitted correspondence. Staff's recommendation remains unchanged.

I. RESPONSE TO CORRESPONDENCE

Since the publication of the staff report, the Commission has received a comment from the City of Long Beach in support of, and another comment from the appellant in opposition to, staff's recommendation of no substantial issue. The comments are included within the [Correspondence](#) packet for this item. While no new contentions may be raised after the close of the appeal period, the following response is incorporated into the findings, added as a Response to Comments section to the staff report dated November 29, 2023 (as section V.D.1 on page 11):

On December 8, 2023, the appellant submitted a comment in response to the staff's recommendation of no substantial issue. The appellant's comment seeks to clarify the concerns raised in the appeal and details concerns about various construction-related and post-construction impacts of the project to the nearby wetlands and the community. The appellant claims the project impacts would result from construction staging, material transportation, disposal of debris, runoff, air pollution, traffic congestion, temporary access blockage to 6621 PCH, disturbance to coastal birds, and coastal hazards. Although the appellant acknowledges that there will be no construction within the appealable area, it argues that the appealable portion of the 6621 PCH parcel is still impacted by the project due to the afore-mentioned construction and post-construction activities.

The Commission finds that these contentions are not relevant to the question before the Commission, which is whether the proposed development located within the Commission's appeal jurisdiction, which is limited to the lot line adjustment only, is consistent with the

policies of SEASP or the public access policies of the Coastal Act. Thus, this is not a basis for finding substantial issue.

Moreover, the City, as the implementing agency of its Local Coastal Program (LCP), has reviewed and conditioned the project to avoid, minimize, and mitigate coastal resource impacts. For instance, the City found that roadway improvements would still provide access to the existing office building and parking lot at 6621 PCH during and after construction, and conditioned the project for submittal of construction staging plan and requiring such staging not to impede public access to the coast,¹ bird-safe treatment for window and door systems pursuant to SEASP policy,² acknowledgement of sea level rise hazards,³ and construction best management practices to minimize runoff and debris.⁴

Finally, the appellant contends that if the Commission were to find that the lot line adjustment raises a substantial issue, it would allow the Coastal Commission to assess impacts to the appealable jurisdiction from the physical development, including impacts to the adjoining wetlands, coastal birds, and public accessibility to the site. It is true that if the Commission were to find that the lot line adjustment appeal raises a substantial issue, the Commission would review the entire development de novo, including the portion of the project outside of the Commission's appeal jurisdiction. As noted above, however, this appeal is limited to whether the grounds therein raise a substantial issue as to the LCP and Chapter 3 public access policy conformity of the lot line adjustment only. This lot line adjustment reduces the size of the existing parcel from 81,069 sq. ft. to 68,691 sq. ft. As previously discussed, the reduced parcel size would still be able to accommodate future development that adheres to all applicable SEASP policies including the wetland/ESHA buffers. Therefore, no substantial issue is raised, and there is no basis for the Commission to find substantial issue and assert jurisdiction over the entire project.

¹ City's Conditions of Approval # 62 and 63, dated September 19, 2023

² City's Conditions of Approval # 57, dated September 19, 2023

³ City's Conditions of Approval # 68, dated September 19, 2023

⁴ City's Conditions of Approval # 60, dated September 19, 2023