



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • FAX (562)570-6068

## NOTICE OF FINAL LOCAL ACTION

**Application No.:** 0904-15  
**Project Location:** 6400 Loynes Drive  
**Applicant:** 2H Properties  
c/o Sean Hitchcock  
2651 Walnut Avenue  
Signal Hill, CA 90755  
**Permit(s) Requested:** Local Coastal Development Permit

**Project Description:** A Local Coastal Development Permit to allow the import of 1,000 cubic yards of soil to re-establish and maintain the cap over the existing landfill at 6400 Loynes Drive in response to California Coastal Commission Emergency Permit 5-09-068-6. Also included was approval to allow weed abatement to comply with a Fire Department order.

**Local action was taken by the:** Zoning Administrator on:  
October 12, 2009

**Decision:** Conditionally Approved

Planning Commission on:  
December 3, 2009

**Decision:** Denied the appeal and upheld the decision of the Zoning Administrator to approve the permit conditioned upon the implementation of a remediation plan, the details of which shall be presented to the Planning Commission for consideration within 90 days.

**Local action is final on:** January 7, 2010

This project is in the Coastal Zone and IS appealable to the Coastal Commission.

*"If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or issues raised via written correspondence delivered to the (public entity conducting the hearing) at or prior to the public hearing."*

**See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.**

Handwritten signature of Derek Burnham.

Derek Burnham  
Current Planning Officer

Handwritten signature of Jeff Winklepleck.

Jeff Winklepleck, Planner  
Phone No.: (562)570-6607

Attachments

District: 3



**CONDITIONS OF APPROVAL  
LOCAL COASTAL DEVELOPMENT PERMIT  
Application No. 0904-15  
Date: December 3, 2009**

1. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
2. The use permitted on the site shall be the previously completed import of 1,000 cubic yards of clean fill dirt to create a minimum 6-inch thick dirt cap over an area no larger than 50,000 square feet to cover exposed trash in order to prevent methane release, per orders to comply issued by California Integrated Waste Management Board (Inspection Report, File No. 19-AK-5003 dated 3/26/2009) and South Coast Air Quality Management District (Case No. D-18289, 3/26/2009). Additionally, weed abatement to comply with a Long Beach Fire Department order is also permitted.
3. Per Long Beach Fire Inspection Report 17732, weed abatement shall include removal of all flammable vegetation and combustible growth within 30 feet of buildings, structures, or property lines, whichever is nearer, per the California Code of Regulations Title 19, Division 1, Chapter 1, Article 3, Section 3.07.
4. Violation of any of the conditions of this permit shall be cause for the issuance of an infraction, citation, prosecution, and/or revocation and termination of all rights thereunder by the City of Long Beach.
5. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Development Services Department. These conditions must be printed on all plans submitted for plan review.
6. The property shall be maintained in a neat, quiet and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
7. Hours of operation shall be limited from 7:00 a.m. to 4:00 p.m. Monday-Friday and Saturday 9:00 a.m. to 4:00 p.m. No work is permitted Sunday or holidays.

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8. The applicant shall comply with City of Long Beach Noise regulations, Chapter 8.80 of the Long Beach Municipal Code.
9. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.
10. The applicant shall comply with a remediation plan to be prepared by staff and submitted to the Planning Commission for consideration within 90 days.

## **LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS**

**Application No. 0904-15**

**Date: December 3, 2009**

Pursuant to Chapter 21.25, Division IX of the Long Beach Municipal Code, the City shall not approve a Local Coastal Development Permit unless positive findings are made consistent with the criteria set forth in the Local Coastal Development Permit regulations.

**1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM, INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND**

The Local Coastal Program and land use regulations for the project site are contained within the Southeast Area Development and Improvement Plan (PD-1) dated January 3, 2006, and are intended to provide for a total community of residential, business and light industrial uses integrated by an extensive system of parks, open space and trails.

The zoning designation for the project site is the Southeast Area Development and Improvement Plan (PD-1) Subarea 23. The 9.38-acre site is identified to be developed as an 8.3-acre brackish pond by the developer(s) of Subareas 11a and 25.

The proposed project is in response to Emergency Permit 5-09-068-G that was issued by the California Coastal Commission on April 7, 2009. The project includes the completed import of 1,000 cubic yards of clean fill dirt to re-establish and maintain the cap over the existing landfill and weed abatement in response to an order issued by the Long Beach Fire Department.

Based on review of the Local Coastal Program, the delineation study and subsequent peer review, the proposed development (import of soil, weed abatement and remediation requirement (see Condition of Approval No. 10)) conforms to the certified Local Coastal Program.

The site is vacant and is therefore not subject to the requirements for replacement of low and moderate-income housing.

**2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THE SECOND FINDING ONLY APPLIES TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.**

Chapter 3 of the Coastal Act deals with the public's right to use of the beach and water resources for recreational purposes. The chapter provides the basis for state and local governments to require beach access dedication and to prohibit development that restricts public access to the beach and/or water resources.

The project as currently proposed will not reduce access or public views to the beach.

