

## FINDINGS

### Project Location

San Pedro Community Plan Area (CPA). The San Pedro CPA is located adjacent to the Port of Los Angeles, the Wilmington-Harbor City Community Plan Area, the Pacific Ocean, and the City of Rancho Palos Verdes. It is generally bounded by: Taper Avenue on the north; John S. Gibson Boulevard, Harbor Boulevard, the West Channel of the Port of Los Angeles, and Cabrillo Beach on the east; the Pacific Ocean on the south; and the western border of Los Angeles with the City of Rancho Palos Verdes.

### **I. Finding Requirements for General Plan Amendments and Zoning Ordinances**

#### City Charter Findings

**Charter Section 555** – Charter Section 555 provides that the City Council may amend the General Plan in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has a significant social, economic, or physical identity. No legislative findings are required to amend the General Plan. The Proposed Project proposes amendments to three elements of the General Plan: (1) adopting the revised San Pedro Community Plan through the San Pedro Zoning Code Update, including amendments to the Plan Text document and amendments to the General Plan Land Use Map for the San Pedro CPA, (2) amendment to the Mobility Element 2035, and (3) amendments to the Framework Element. All the amendments to the City's General Plan are related to areas of the City within the San Pedro CPA's boundaries, an area which has a significant social, economic, and physical identity as a harbor adjacent geography and one of the oldest developed areas of the City as reflected in this report and the Attachments and the whole of the record on the Proposed Project.

**Charter Section 556 and 558** – Charter Section 556 and 558 require the City Planning Commission and the City Council to adopt the following findings when taking any action to (i) create or change a zone or zoning district created for the purpose of regulating the use of land, or (ii) zoning the permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements, including specific plan ordinances (collectively zoning ordinances):

(1) The zoning ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan.

(2) The zoning ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice.

Based upon this, the above findings are required for all of the following ordinances which are part of the Proposed Plan: adoption of the New Zoning Code, the amendments to the City's Zoning Map for the zone changes, the adoption of the Conservation District and Individual Historic Resources Review Map, Hillside Map, Targeted Planting Map, Freeway Adjacency Map, Alcohol Permission Area Map, repeal of the San Pedro Community Plan Implementation Overlay (CPIO) District and amendment to the San Pedro Specific Plan text (SPSP) (collectively, "Implementing Zoning Ordinances").

**Charter Section 556 and 558** – Charter Section 556 and 558 require the City Planning Commission and the City Council to adopt the following findings when taking any action to (i) create or change a

zone or zoning district created for the purpose of regulating the use of land, or (ii) zoning the permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements, including specific plan ordinances (collectively zoning ordinances):

- (1) The zoning ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan.
- (2) The zoning ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice.

Based upon this, the above findings are required for all of the following ordinances which are part of the Proposed Plans: adoption of the New Zoning Code, the amendments to the City's Zoning Map for the zone changes, the adoption of the Community Benefits Program, Local Affordable Housing Maps, Conservation District and Individual Historic Resources Review Maps, Hazardous Sites Map, and amendments to Clean Up and Green Up (CUGU) District, (collectively, "Implementing Zoning Ordinances").

### **LAMC FINDINGS**

**LAMC Section 12.32 C** - All the Implementing Zoning Ordinances must also comply with the procedures in LAMC Section 12.32 C, which provides procedures for zoning ordinances. Section 12.32 C incorporates the Charter findings in Section 556 and 558. It requires the CPC to adopt a finding that a proposed zoning ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice. The City Council is required to make the same finding before adopting the zoning ordinance, as well as a finding that the zoning ordinance is consistent with the General Plan. The proposed zone change ordinances directly implement policies contained in the adopted San Pedro Community Plan through the application of the New Zoning Code, and as such, the proposed changes follow good zoning practice in implementing such policies.

**LAMC Section 13.14 C.4** - In addition to the findings in 12.32 C, the amendment of a CPIO District also requires a finding that the supplemental development regulations of the CPIO District are consistent with, and necessary to implement, the programs, policies, or urban design guidelines of the Community Plan for that area. The San Pedro CPIO District Plan is proposed to be removed as it is no longer necessary to implement the programs, policies and urban design goals of the Community Plan for the area due to the project's proposed implementation of the New Zoning Code's zoning district modules and tools.

### **State General Plan Consistency Requirements**

In addition to the requirement for zoning ordinances to be consistent with the General Plan (vertical consistency), state law also requires that the General Plan must have internal consistency among its elements (horizontal consistency). The City of Los Angeles has the responsibility to maintain and implement the City's General Plan. Community Plans comprise the Land Use Element of the City's General Plan and are the final determination of land use categories, zoning, development requirements, and consistency findings. The updated Community Plan and amended Mobility Plan and Framework Element must be consistent with the other elements and components of the General Plan. Those elements are Land Use, Circulation (Mobility), Housing, Conservation, Open Space, Noise, Safety, and Health Element. In addition to the eight mandated elements, the City's General Plan includes a Framework Element, an Infrastructure Systems Element, a Public Facilities and Services Element, and an Air Quality Element. State law does not require the City to adopt

consistency findings or any other findings to amend a Land Use element. The findings below for Section 556 and 558 and LAMC Section 12.32, also discuss internal consistency of the Proposed Plans, the amended Mobility Plan, and the amended Framework Element with each other and with the rest of the City's General Plan. This consistency discussion is provided for the City Planning Commission's consideration in approving and recommending the Proposed Plan and implementing zoning ordinances and its determination that the Proposed Plan is consistent with the City's General Plan.

### **I. Findings for the Implementing Zoning Ordinances Under Charter Section 556 and 558 and LAMC Section 12.32**

For all of the reasons provided below and based on the whole of the record of proceedings, the adoption of the amendments to the City's Zoning Map for the zone changes, the adoption of the Proposed Project's Hillside Map, Targeted Planting Map, Freeway Adjacency Map, Alcohol Permission Area Map, repeal of the San Pedro Community Plan Implementation Overlay (CPIO) and amendment to the San Pedro Specific Plan text (SPSP) (collectively, "Implementing Zoning Ordinances") are:

- (1) in substantial conformance with the purposes, intent, and provisions of the General Plan.
- (2) in conformity with public necessity, convenience, general welfare, and good zoning practice.

The findings for the amendments to the City's Zoning Map for the zone changes and adoption of New Zones, and the findings for the adoption of Hillside Area Map, Targeted Planting Map, Freeway Adjacency Map, Alcohol Permission Area Map, repeal of the San Pedro CPIO District and amendments to the San Pedro Specific Plan are discussed together in one section. The findings for each of the other remaining ordinances mentioned above are discussed in individual sections.

#### **A. Findings for Adoption of the New Zones, Zone Changes, and the Hillside Area Map, Targeted Planting Map, Freeway Adjacency Map, Alcohol Permission Area Map, Conservation District and Individual Historic Resources Review Maps, repeal of the San Pedro CPIO and amendments to the San Pedro Specific Plan.**

The Proposed Plan as used in this Section A refers to the Community Plans text and land use map amendments and Zoning Ordinances to amend the Zoning Map to implement the project's amendments, unless otherwise specified.

#### **LAMC Section 11.5.8**

In November 2016 Measure JJJ passed and it was certified by the County Clerk on December 13, 2016. Measure JJJ requires, in accordance with Charter Section 555, that the Planning Department complete a comprehensive assessment for any amendment to a Community Plan to ensure that proposed changes do not:

- 1. Reduce the capacity for creation and preservation of affordable housing and access to local jobs; or
- 2. Undermine California Government Code Section 65915 or any other affordable housing incentive program.

The Proposed Project does not reduce the capacity for creation and preservation of affordable housing or reduce access to local jobs or undermine any affordable housing incentive program.

The Proposed Project applies land use designations and zoning districts consistent with existing land uses and zones as envisioned by the San Pedro Community Plan with minor changes as described in this report. The Project proposes elimination of restrictive Q-conditions that limit housing density, removes building lines that require greater setbacks, rezones parcels designated as Parking zones with less restrictive zones, and corrects land use and zoning inconsistencies. Through implementation of the New Code, the project implements key programs of the Housing Element, including housing incentive programs and residential protections. Zoning districts are proposed that continue to allow multi-unit residential development and align with citywide incentive tools that prioritize affordable housing. The Project utilizes the New Code's zoning districts that offer "right-sizing" of Floor Area Ratio to reflect the existing development patterns in residential neighborhoods and discourage redevelopment with large less affordable rental residential units that may lead to a decrease in the number of overall residential units. Additionally, the new zoning districts incorporate decreased yard requirements for front, side and rear setbacks for multi-unit residential zones, which would allow existing non-conforming structures to be more easily converted to residential units and would facilitate the construction of new units. This would allow for additional infill development to occur throughout residential neighborhoods while preserving the existing housing stock on a property which may be subject to the Rent Stabilization Ordinance (RSO).

The proposed project applies land use designations and zoning districts consistent with the adopted San Pedro Community Plan. Through the proposed zoning use districts, a more flexible mix of uses are offered, which would facilitate access to local jobs and adapt to changes in economic conditions over time. The Proposed Project also maintains the existing restriction on dwelling units in the industrial neighborhoods in order to safeguard land for industrial use which is an important local jobs base.

The Project proposes to work in conjunction with all applicable statewide and citywide incentive programs to ensure the availability of affordable housing, such as the State Density Bonus Program and the Citywide Housing Incentive Program and would therefore not undermine California Government Code Section 65915 or any other affordable housing incentive program.

## **Charter and Code Findings**

### **Framework Element**

The following "findings" are listed under categories similar to the categories found in the Framework Element, which, although it does not mandate any particular policy or program be included in a Community Plan, is intended to guide Community Plan updates:

With respect to *distribution of land use*, the General Plan Framework Element states the following:

*Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.*

*Policy 3.1.1: Identify areas on the Long-Range Land Use Diagram and in the Community Plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural/institutional, educational, health,*

*services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.*

*Policy 3.1.2: Allow for the provision of sufficient public infrastructure and services to support the projected needs of the City's population and businesses within the patterns of use established in the community plans as guided by the Framework Citywide Long-Range Land Use Diagram.*

*Policy 3.1.3: Identify areas for the establishment of new open space opportunities to serve the needs of existing and future residents. These opportunities may include a citywide linear network of parklands and trails, neighborhood parks, and urban open space.*

## **Other General Plan Elements**

The Proposed Plan is in substantial conformance with the purpose, intent, and provisions of the General Plan in that they help to implement policies in a number of other General Plan Elements in addition to the Framework Element discussed above, including the Conservation Element, the Housing Element, the Mobility Element (Mobility Plan 2035), and the Plan for a Healthy Los Angeles.

## **Conservation Element**

With respect to Land Form and Scenic Vistas, the Conservation Element states the following:

*Conservation Element Objective (Chapter II, Section 5): protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.*

*Conservation Element Policy (Chapter II, Section 5): continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.*

*Conservation Element Policy (Chapter II, Section 12): continue to protect, restore and/or enhance habitat areas, linkages and corridor segments, to the greatest extent practical, within city owned or managed sites.*

*Conservation Element Policy (Chapter II, Section 15): protect and reinforce natural and scenic vistas as irreplaceable resources and for the aesthetic enjoyment of present and future generations.*

The Proposed Plan advances citywide preservation policies established by the General Plan through applying new zoning designations that further promote neighborhood conservation and historic preservation. In conformance with the Conservation Element, Article 8 of the New Zoning Code (Chapter 1A) enables the Conservation District and Individual Historic Resource Review designations that require additional planning review for areas mapped with this designation and that contain eligible resources identified through the City of Los Angeles Historic Resources Survey (Survey LA). Additionally, the Proposed Plan introduces a frontage district for compatible infill development through Character Frontage applied to San Pedro's Historic Commercial Area. The Proposed Project also continues to protect and enhance habitat areas within city-owned or managed sites by expanding Open Space land use designations and applying zoning use district modules to reinforce sites for conservation. The New Zoning Code offers two open space use district packages, OS1 and OS2, with one district approach designed for traditional park space and the second district approach for preservation and minimal development. Additionally, the proposed

project maintains provisions of the San Pedro Specific Plan which identifies scenic vistas and regulates them with further height restrictions.

### **Housing Element (2021-2029)**

With respect to housing, the Housing Element states the following:

*Policy 1.1.8: Introduce more flexible zoning and incentives for existing lower density residential areas to create opportunities for more “missing middle” low-scale housing typologies, particularly in Higher Opportunity Areas.*

*Policy 3.1.2: Promote new development that furthers Citywide Housing Priorities in balance with the existing architectural and cultural context.*

*Policy 3.1.3: Develop and implement design standards that promote quality residential development*

*Policy 3.1.7: Promote complete neighborhoods by planning for housing that includes open space, and other amenities.*

*Policy 3.1.5: Develop and implement environmentally sustainable urban design standards and pedestrian-centered improvements in development of a project and within the public and private realm such as shade trees, parkways and comfortable sidewalks.*

*Policy 4.3.2: Ensure that all neighborhoods have a range of housing typologies to provide housing options for residents to remain in the same community, when and if their needs change.*

The Proposed Project is in substantial compliance with the Housing Element. The Project implements the City's 2021–2029 Housing Element's key programs including housing incentive programs, residential protections, and EPMs. Additionally, the Project advances multiple Housing Element programs that direct the City to increase zoning capacity, streamline development standards, and integrate new zoning tools to meet the City's Regional Housing Needs Allocation (RHNA). Although the Project is largely a translation of existing zoning, it includes standards requiring open space and amenity features for residential development. It also offers flexible zoning with a range of housing typologies to provide housing options throughout the plan area. The Proposed Project streamlines housing development by the removal of subjective design review standards and replacement with objective standards described in the New Zoning Code.

### **Safety Element**

With respect to community health and wellbeing, the Safety Element states the following:

*Policy 1.2.5 Housing and Development: In keeping with the Housing Element, create housing opportunities that enhance affordability, equity, livability, sustainability and resilience.*

*Policy 1.2.8 Industrial Emissions and Air Quality Monitoring: In keeping with the Air Quality Element, ensure that every Angeleno can breathe clean, healthy air by addressing air pollution from all sources, with a particular emphasis on prioritizing the health and wellbeing of overburdened families and delivering environmental justice.*

*Policy 1.2.11 Urban Ecosystem and Resilience. In keeping with the Conservation and Open Space Elements, create a more temperate biodiverse city with more green space for people and habitats.*

The Proposed Plan is consistent with the Safety Element. The project implements the Housing Element's rezoning program, including the Citywide Housing Incentive Programs which facilitate affordability, equity, livability, sustainability and resilience of housing and development. The Project proposes New Zoning districts in industrial areas that provide tailored use regulations and require compliance with supplemental standards and includes inspection and monitoring, etc. The Project also includes filtration planting in industrial areas that require planting that is high in carbon and particulate matter filtration qualities. Outside of industrial areas, the project requires native and drought-tolerant planting that will offer more biodiversity in the region with more green space for people and habitats.

### **Mobility Element (Mobility Plan 2035)**

The City's Mobility Element (Mobility Plan 2035) contains a number of important policies related to the Proposed Plan, including:

*Policy 1.8 Goods Movement Safety: Ensure that the goods movement sector is integrated with the rest of the transportation system in such a way that does not endanger the health and safety of residents and other roadway users.*

*Policy 2.14 Street Design: Designate a street's functional classification based upon its current dimensions, land use context, and role.*

*Policy 3.3 Land Use Access and Mix: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

The project, which brings the New Zoning Code to San Pedro, would require certain industrial uses to submit a truck routing plan in order to obtain a conditional use permit; the truck routing plan would be required to minimize truck travel through residences, churches, schools, hospitals, public playgrounds, nursing homes, child care centers, and other similar uses. The project would also enable the New Code's loading, unloading and truck idling restrictions. The project proposes a minor amendment to the Mobility Plan 2035 to change a street designation in order to maintain the continuation of a street-wall within an existing historic commercial context. The project applies the New Zoning Code in San Pedro which provides for flexible zoning, including use districts with a broader range of uses that would allow for more neighborhood services within neighborhoods and provide for a greater land use mix, destination and local jobs.

### **Health Element (Plan for a Healthy Los Angeles)**

With respect to livable neighborhoods, the Health Element (Plan for a Healthy Los Angeles) states the following:

*Policy 1.5 Plan for Health: Improve Angelenos' health and well-being by incorporating a health perspective into land use, design, policy, and zoning decisions through existing tools, practices, and programs.*

*Policy 2.2 Healthy building design and construction: Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.*

*Policy 4.1 Land for urban agriculture and healthy food: Encourage and preserve land for urban agriculture in the city to ensure a long-term supply of locally produced healthy food, promote resiliency, green spaces, and healthy food access; increase the number of urban agriculture sites including but not limited to: community gardens, parkway gardens, urban farms and rooftop gardens in low-income and underserved areas.*

*Policy 5.1 Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.*

The Proposed Project is consistent with the City's Health Element. The Proposed Project implements the New Zoning Code in San Pedro which advances use districts with standards to protect public health from industrial and heavy commercial activities. For example, heavy industrial and mineral and ore extraction activities would require compliance with the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program, submission of a Health Assessment of the project for the surrounding vicinity. The New Zoning Code requires certain industrial uses to submit a truck routing plan in order to obtain a conditional use permit; the truck routing plan would be required to minimize truck travel through residences, churches, schools, hospitals, public playgrounds, nursing homes, child care centers, and other similar uses. The project also includes filtration planting in industrial areas that require planting that is high in carbon and particulate matter filtration qualities.

### **Conformity with Public Necessity, General Welfare and Good Zoning Practice**

The Proposed Project is in conformity with public necessity, convenience, general welfare and good zoning practice. The Project is limited in scope and is intended to bring the New Zoning Code to the San Pedro CPA; however, the Project advances the Community Plan's vision in protecting historic resources, continuing to allocate density in San Pedro's downtown regional area, facilitating a mix of commercial uses in commercial areas, preserving open space areas, and maintaining single-family residential character and the integrity of hillside area

### **B. Findings for Amendments to San Pedro Specific Plan and Repeal of the San Pedro Community Plan Implementation Overlay District**

The Proposed Project will amend the San Pedro Specific Plan text document to remove outdated references to LAMC Chapter 1, provide clarification on how the Specific Plan will work within the framework of Chapter 1A, the New Zoning Code and the zoning system. An "SP" specific plan suffix, indicating the San Pedro Specific Plan overlay, will be applied to the end of the zone string to indicate the additional layer of zoning rules. The project does not involve any amendments to the Coastal Land Use Plan. The project incorporates modular zoning districts to replace the zones underlying the San Pedro Community Plan Implementation Overlay (CPIO) District. The applied zoning districts continue to advance the policy vision of the San Pedro CPIO, and therefore this project proposes removal of the CPIO zoning suffix from the relevant parcels, and the repeal of the San Pedro CPIO District Plan and Ordinance. The replacement zones achieve many of the

regulations and standards in the San Pedro CPIO District Plan and Ordinance, such as those related to use permissions and urban design, while retiring select standards for the purposes of simplifying a complex regulatory environment. Further, the Project includes the Individual Historic Resource Review zoning tool and its associated “IHR” suffix to function as a replacement for the San Pedro CPIO’s eligible historic resource evaluation review procedures and a Targeted Planting Map for the San Pedro CPIO area boundary to maintain drought tolerant and/or native planting regulations.

#### San Pedro Community Plan Policies

*LU5.6 High-quality development. Design commercial development, including infill development, redevelopment, rehabilitation, and reuse efforts, to produce a high-quality built environment, with distinctive character, and compatibility with existing and adjacent development, that reflect San Pedro’s unique historic, environmental, and architectural context, creating memorable places that enrich community life.*

*LU5.11 Buildings that engage the street. Require buildings to be oriented to and actively engage the public realm through such features as building orientation, build-to and setback lines, façade articulation, ground-floor transparency, and location of parking.*

*LU5.13 Improve design. Promote quality site, architectural and landscape design that incorporates walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles.*

*LU18.1 Maintain visual resources. Protect the scenic and visual qualities of San Pedro as a local and regional resource, with permitted development sited and designed to: protect public views to and along the ocean, harbor, and scenic coastal areas; minimize the alteration of natural landform; be visually compatible with the character of the surrounding area; and prevent the blockage of existing public views for designated public scenic view areas and Scenic Highways.*

*LU18.2 Preserve access to coastal views. Ensure public visual access to coastal views by means of appropriately located scenic overlooks, turnouts, view spots and other areas for limited vehicular parking, especially along designated Scenic Highways and Bikeways.*

#### Charter and Code Findings

With respect to livable neighborhoods, the Health Element (Plan for a Healthy Los Angeles) states the following:

*Policy 1.1.8: Introduce more flexible zoning and incentives for existing lower density residential areas to create opportunities for more “missing middle” low-scale housing typologies, particularly in Higher Opportunity Areas.*

*Policy 3.1.2: Promote new development that furthers Citywide Housing Priorities in balance with the existing architectural and cultural context.*

*Policy 3.1.3: Develop and implement design standards that promote quality residential development*

*Policy 3.1.5: Develop and implement environmentally sustainable urban design standards and pedestrian-centered improvements in development of a project and within the public and private realm such as shade trees, parkways and comfortable sidewalks.*

*Policy 3.1.7: Promote complete neighborhoods by planning for housing that includes open space, and other amenities.*

The repeal of the CPIO and replacement with the New Zoning Code's zoning modules will achieve the policies cited above. The New Code offers more flexible zoning and offers objective design standards. In addition, New Zoning Tools were utilized to guide design to be in balance with existing architectural and cultural context through the application of Character Frontage and Conservation District. Open space and on-site amenities are built into zoning districts. Additionally, a specialized planting list for San Pedro's neighborhoods is proposed to further sustainable urban design and promote quality residential and urban development. Further, San Pedro's coastal neighborhoods will also have design standards as a result of a change to the base zoning including open space and amenities.

With respect to Land Form and Scenic Vistas, the Conservation Element states the following:

*Conservation Element Objective (Chapter II, Section 5): protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.*

*Conservation Element Policy (Chapter II, Section 5): continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.*

*Conservation Element Policy (Chapter II, Section 12): continue to protect, restore and/or enhance habitat areas, linkages and corridor segments, to the greatest extent practical, within city owned or managed sites.*

*Conservation Element Policy (Chapter II, Section 15): protect and reinforce natural and scenic vistas as irreplaceable resources and for the aesthetic enjoyment of present and future generations.*

The Proposed Project maintains the provisions of the San Pedro Specific Plan including those that identify scenic vistas and regulates them with further height restrictions. While amendments to the Specific Plan are technical in nature and are proposed for compatibility with the New Zoning Code, changes to the underlying zone will enhance protections on natural and scenic vistas and habitats, particularly within the Hillside Area, through the application of Hillside zoning modules. The Conservation Element's policies to protect historical and cultural resources/sites are carried out through the application of the Individual Historic Resource Review tool in the New Zoning Code, which also replaces the CPIO's historic evaluation procedures.

## **Summary of CEQA Findings**

An Environmental Impact Report (EIR), EIR No. ENV-2020-6762-EIR, SCH No. 2021010130, was prepared for The Los Angeles Citywide Housing Element 2021-2029 Update and Safety Element Update (Housing Element EIR), and certified on November 29, 2021. The Housing Element Final EIR was prepared in accordance with California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines.

The California Environmental Quality Act (CEQA) provides for limited environmental review of subsequent projects under a program EIR (*State CEQA Guidelines* Section 15168). Later activities under a continuing program analyzed in a program EIR must be examined to determine whether any additional environmental analysis must be conducted (*State CEQA Guidelines* Section 15168(c)(1)). If a lead agency finds that, pursuant to *State CEQA Guidelines* Section 15162, no subsequent EIR would be required, the lead agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required (*State CEQA Guidelines* Section 15168(c)(2)). Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based upon substantial evidence in the record (*State CEQA Guidelines* Section 15168(c)(2)). The lead agency shall incorporate feasible mitigation measures from the program EIR into later activities in the program (*State CEQA Guidelines* Section 15168(c)(3)). Where the later activities involve site-specific operations, the lead agency should use a written checklist to determine whether the environmental effects of the site-specific operations are within the scope of the program EIR (*State CEQA Guidelines* Section 15168(c)(4)).

*State CEQA Guidelines* Section 15164(a) states that the lead agency shall prepare an addendum to a previously certified EIR and/or IS/MND if some changes or additions are necessary, but none of the conditions described in *State CEQA Guidelines* Section 15162 calling for preparation of a subsequent or supplemental EIR and/or IS/MND have occurred. Section 15164(c) states that an addendum does not need to be circulated for public review. Section 15164(d) provides that the decision-making body shall consider the addendum in conjunction with an adopted EIR or IS/MND prior to making a decision on the project. Section 15164(e) requires documentation of the decision not to prepare a subsequent or supplemental EIR or IS/MND pursuant to Section 15162.

*State CEQA Guidelines* Section 15162(a) provides that once an EIR or IS/MND has been adopted, no subsequent EIR or IS/MND shall be prepared unless the lead agency determines, on the basis of substantial evidence, one or more of the following:

- Substantial changes are proposed in the project, which will require major revisions of the previous EIR or IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or IS/MND was approved or certified as complete, shows any of the following:
  - The project will have one or more significant effects not discussed in the previous EIR or IS/MND;

- Significant effects previously examined will be substantially more severe than shown in the previous EIR or IS/MND;
- Mitigation measures previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- Mitigation measures that are considerably different from those analyzed in the previous EIR or IS/MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The San Pedro Zoning Code Update was analyzed in the Housing Element Environmental Impact Report (SCH No. 2021010130) (Housing Element EIR) certified on November 29, 2021, and Addendum No. 1 (ENV-2020-6762-EIR-ADD1), Addendum No. 2 (ENV-2020-6762-EIR-ADD2), Addendum No. 4 (ENV 2020-6762-EIR-ADD4); the San Pedro Zoning Code Update is within the scope of the project covered by the Housing Element EIR; and the Housing Element EIR adequately describes the activity for the purposes of CEQA; and pursuant to CEQA Guidelines Sections 15162, 15164 and 15168, no subsequent or supplemental environmental impact report is required.