ORDINANCE NO. ORD-23-0051

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY REPEALING AND REPLACING THE SUBDIVISION REGULATIONS OF THE CITY OF LONG BEACH (TITLE 20) IN ITS ENTIRETY

The City Council of the City of Long Beach ordains as follows:

Section 1. Title 20 of the Long Beach Municipal Code is hereby repealed in its entirety and replaced as shown on Exhibit "A", which is attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

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OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of December 19, 2023 by the following vote:

Ayes: Councilmembers: Duggan, Supernaw, Kerr, Saro, Uranga, Austin, Ricks-Oddie.

Noes: Councilmembers: None.

Absent: Councilmembers: Zendejas, Allen.

Recusal(s): Councilmembers: None.

City Clerk

Approved: 12/21/23
(Date)

Mayor

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

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Note— Prior history: Prior code §§ 9110.1—9110.10; Ords. C5347, C-5417, C-5556, C-5734, & C-5975.

CHAPTER 20.02 – GENERAL PROVISIONS

20.02.010 – Title.

The provisions of this part shall be known as the "Subdivision Regulations of the City of Long Beach" and shall be referred to therein as "these regulations."

20.02.020 – Purpose and intent.

The purpose of these regulations is:

A. To provide policies, standards, requirements, and procedures to regulate and control the design and improvement of all subdivisions within the City;

B. To implement the objectives, policies, and programs of the general plan by ensuring that all proposed subdivisions, together with the provisions for their design and improvement, are consistent with all elements of the general plan and all applicable specific plans;

C. To preserve and protect the unique and valuable natural resources and amenities of the City's environment and to maximize the public's access to and enjoyment of such resources and amenities through the dedication or continuance of appropriate public easements thereto;

D. To assure that development is consistent with the Local Coastal Plan and that issues including, but not limited to sea level rise, sensitive habitat protection, and water quality, are addressed with the review of subdivision maps;

E. To approve subdivisions which accomplish the following objectives:

1. Create lots of sufficient size and appropriate design in the interest of the public health, safety, and welfare.

2. Deliver an adequate system of utilities needed to service the development and address public health, safety, and convenience.

3. Provide streets of adequate capacity and design to accommodate traffic, and to ensure maximum safety for pedestrians and vehicles.

F. To provide streets and sidewalks of adequate capacity and design that efficiently accommodate all modes of transportation consistent with the Mobility Element of the General Plan, Americans with Disabilities Act (ADA), and streetscape amenities to beautify corridors;

G. To ensure maximum safety for all modes of transportation by including improvements that encourage walkability, bikeabilty and provide neighborhood connectivity; and

H. To clarify the processes and submittal requirements for different types of subdivision requests to streamline the review process and ensure consistency.

20.02.030 – Authority.

These regulations are adopted pursuant to the Subdivision Map Act of the State of California (Map Act) and are supplemental to the provisions thereof. Consistent with the intent and spirit of the Map Act, Sections 6700 through 6799, inclusive of the California Business and Professions Code (the Professional Engineers Act), Sections 8700 through 8805, inclusive of the California Business and Professions Code (the Professional Land Surveyors Act), and Sections 7800 through 7887 of the California Business and Professions Code (the Geologist and Geophysicist Act), some local provisions are incorporated into these regulations to reflect processing practices and requirements. All provisions of the above stated Map Act and future amendments thereto not incorporated in these regulations shall, nevertheless, apply to all subdivisions and proceedings under these regulations.

20.02.040 – Applicability.

The regulations shall apply to all subdivisions within the City of Long Beach, the preparation of subdivision maps, and to other maps and survey records provided for by the Subdivision Map Act. Exempted land transactions not subject to filing a tentative and final parcel map are noted in Section 20.02.050. Each subdivision, or other map process, within the City shall be prepared and submitted for approval consistent with these regulations.

20.02.050 – Exemptions.

These regulations shall not apply to:

A The financing or leasing of apartments, offices, stores, or similar spaces within apartment buildings, industrial buildings, commercial buildings, mobilehome parks, or trailer parks.

B. Mineral, oil, or gas leases.

C. Land dedicated for cemetery purposes under the Health and Safety Code of the State of California.

D. A lot line adjustment between four or fewer existing adjoining parcels, where the land taken from one lot is added to the adjoining lot, and where a greater number of lots than originally existed is not thereby created.

E. Boundary line or exchange agreements to which the State Lands Commission or a local agency holding a trust grant of tide and submerged lands is a party.

F. Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.

G. The conversion of a community apartment project as defined in Section 4105 of the Civil Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:

1. The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the community apartment project.

2. Subject to compliance with Sections 4290 and 4295 of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the project as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the project shall be required to execute the conveyances or other documents. Conveyances and other documents executed under

the foregoing provisions shall be binding upon and affect the interests of all parties in the project.

3. If subdivision, as defined in Section 66424, of the property occurred after January 1, 1964, both of the following requirements are met:
    a. A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion.
    b. No more than 49 percent of the units in the project were owned by any one person as defined in Section 17, including an incorporator or director of the community apartment project, on January 1, 1982.
4. The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

H. The conversion of a stock cooperative as defined in Section 4190 or 6566 of the Civil Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:

1. The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the stock cooperative, an assignment of lease, or issuance of shares to a stockholder.
2. A person renting a unit in a cooperative shall be entitled at the time of conversion to all tenant rights in state or local law, including, but not limited to, rights respecting first refusal, notice, and displacement and relocation benefits.
3. Subject to compliance with Sections 4290 and 4295, or with Sections 6626 and 6628, of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative.
4. If subdivision, as defined in Section 66424, of the property occurred after January 1, 1980, both of the following requirements are met:
    a. A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion.
    b. No more than 49 percent of the shares in the project were owned by any one person as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1982.
5. The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

I. The leasing of, or the granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of a wind powered

electrical generation device on the land, if the project is subject to discretionary action by the advisory agency or legislative body.

J. The leasing or licensing of a portion of a parcel, or the granting of an easement, use permit, or similar right on a portion of a parcel, to a telephone corporation as defined in Section 234 of the Public Utilities Code, exclusively for the placement and operation of cellular radio transmission facilities, including, but not limited to, antennae support structures, microwave dishes, structures to house cellular communications transmission equipment, power sources, and other equipment incidental to the transmission of cellular communications, if the project is subject to discretionary action by the advisory agency or legislative body.

K. Leases of agricultural land for agricultural purposes. As used in this subdivision, "agricultural purposes" means the cultivation of food or fiber, or the grazing or pasturing of livestock.

L. The leasing of, or the granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of a solar electrical generation device on the land, if the project is subject to review under other local agency ordinances regulating design and improvement or, if the project is subject to other discretionary action by the advisory agency or legislative body.

M. The leasing of, or the granting of an easement to, a parcel of land or any portion or portions of the land in conjunction with a biogas project that uses, as part of its operation, agricultural waste or byproducts from the land where the project is located and reduces overall emissions of greenhouse gases from agricultural operations on the land if the project is subject to review under other local agency ordinances regulating design and improvement or if the project is subject to discretionary action by the advisory agency or legislative body.

N. The financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel, unless the property is not subject to review under other local agency ordinances regulating design and improvement.

O. The financing or leasing of existing separate commercial industrial buildings on a single parcel.

P. The leasing of public properties.

Q. Conveyance of land to a governmental agency, public entity, or public utility, subsidiary of a public utility, for conveyance to that public utility for rights-of-way shall not be considered a division of land for purposes of computing the number of parcels. For purposes of this section, any conveyance of land to or from a governmental agency shall include a fee interest, a leasehold interest, an easement, or a license.

R. Subdivisions created by short-term leases (terminable by either party not more than thirty (30) days' notice in writing) of a portion of the operating right-of-way of a railroad corporation defined as such by Section 230 of the Public Utilities Code.

20.02.060 – Compliance required.

No person shall sell, lease, finance, or transfer title to any parcel or to any portion of a subdivision or re-subdivision unless a final tract map, a parcel map, a record of survey, or a certificate of compliance has been approved by the City and recorded in the office of the Los Angeles County Recorder, or unless exempted as specified in Section 20.02.050.

20.02.070 – Violation—Building permit withheld.

No building permit shall be issued, and no structure shall be constructed or enlarged on any parcel of real property which has been subdivided in violation of the Subdivision Map Act or City regulations, until the property owner has complied with all the requirements of these regulations.

20.02.080 – Fees.

A. **Fees Required.** At the time of submitting an application for any of the procedures authorized by this title, a filing fee shall be paid as established by resolution of the City Council. Required fees shall be paid at the time of filing of any application.

B. **Purpose of Fees.** Such fees are imposed for the purpose of reimbursing the City for costs incurred in investigating and acting upon an application and for administering the provisions of this Title relating to the application.

C. **Refund of Fees.** Fees shall not be refunded if the City has incurred costs in connection with the application, but partial and prorated refunds may be granted by the City if projects are withdrawn prior to the public hearing.

20.02.090 – Violation-Penalty

Each violation of any provisions of these regulations by a person who is the subdivider or an owner of record, at the time of the violation, of property involved in the violation shall be punishable by imprisonment in the county jail not exceeding one year or in the state prison, by a fine not exceeding ten thousand dollars ($10,000), or by both that fine and imprisonment. Every other violation of this division is a misdemeanor.

CHAPTER 20.04 – REVIEW AUTHORITY

20.04.010 – Purpose and intent.

This Chapter is intended to establish the applicable review authority for maps, lot line adjustments, mergers, and other approvals provided for in this Title 20 - Subdivisions. Some processes are ministerial, such as lot line adjustments and voluntary mergers, and do not require a public hearing. Other processes such as tentative maps require a public hearing. Tables 1 and 2 are included in this chapter to summarize the applicable process for the various types of maps and documents covered within Title 20 – Subdivisions. Additional details on the administrative procedures for different types of subdivision maps and services are detailed in subsequent chapters.

20.04.020 – City Council.

A. The City Council shall review and have final approval authority for:

1. Final tract maps - The Council shall consider and approve the final map if it finds that all requirements of the map have been satisfied and adequate financial security provisions have been made to guarantee compliance with these requirements, and shall also accept or reject, on behalf of the public, any real property offered for dedication for public use.
2. Appeals of the Planning Commission's actions on tentative tract maps.

20.04.030 – Planning Commission.

A. The Planning Commission shall review and have final approval authority for:

1. Tentative tract maps that consist of 50 or more residential units/lots;
2. Tentative tract maps for non-residential projects;
3. Tentative condominium maps/airspace lots with 50 or more residential units/lot;
4. Tentative condominium maps/airspace lots for non-residential projects;
5. Condominium conversions for with 50 or more residential units;
6. Condominium conversions for non-residential projects;
7. Major corrections or changes to an approved tentative tract map prior to the recordation of the final map; and
8. Appeals of Zoning Administrator's action on parcel maps, City-initiated lot mergers, tentative tract maps with less than 50 units/lots, tentative tract maps with 100% affordable units/lots, tentative parcel maps, tentative condominium maps with less than 50 residential units, and condominium conversions with less than 50 residential units.

B. The Planning Commission shall:

1. Approve, conditionally approve, or disapprove tentative maps in accordance with these regulations;
2. Prescribe the kinds, nature, and extent of improvements required to be installed in each subdivision; and
3. Grant exceptions or modifications to the requirements of these regulations where such exceptions will not be detrimental to the public welfare.

20.04.040 – Zoning Administrator.

A. The Zoning Administrator is designated as the decision-making entity for:

1. Parcel maps;
2. Tentative tract maps that are 100% affordable;
3. Tentative tract maps that consist of 50 or less residential units/lots;
4. Tentative condominium maps/airspace lots with 50 or less residential units/lot;
5. Condominium conversions for with 50 or less residential units;
6. City-required mergers;
7. Major corrections or changes to an approved parcel map prior to the recordation of the final map.

B. The Zoning Administrator shall be a Planning Officer designated by the Director of Community Development with the approval of the Planning Commission. In the absence of the Zoning Administrator, the Community Development Director may assume the responsibilities of the Zoning Administrator or may designate a Planner III or other higher designee.

20.04.050 – Public Works Director.

A. Final/tract and parcel maps shall be filed with the Department of Public Works for review and approval by the Public Works Director.

20.04.060 – Community Development Director.

A. The Community Development Director shall review and have final approval authority for various ministerial actions related to minor map adjustments and administrative actions related to subdivisions. Ministerial actions are focused on whether or not the request is consistent with the guidance included in this ordinance and consistency with the provisions of the State Subdivision Map Act.

1. **Time Extensions.** The Community Development Director may grant extensions of time to the expiration of approved tentative maps in accordance with these regulations without the requirement for a public hearing.
2. **Lot Line Adjustments/Voluntary Mergers.** The Community Development Director shall approve, conditionally approve, or disapprove a minor lot line adjustment for four or fewer contiguous legal lots or voluntary mergers in accordance with these regulations without the requirement for a public hearing.
3. **Other Actions.** Within subsequent sections of this Ordinance, other minor actions are identified that are ministerial and can be approved without a hearing. These actions include the following:

a. Certificates of compliance.

b. Lot tie covenant.

c. Condo conversion exclusion.

d. Minor amendments to tentative maps.

e. Urban lot split.

20.04.070 – Appeals authorization and jurisdiction.

A. Appeals Authorization. Any aggrieved person may appeal a decision on any project that required a public hearing. Pursuant to Section 21.15.120 of the Zoning Regulations, an Aggrieved person is any person who testified personally or through a representative at a public hearing; or who informed the staff of the Community Development Department in writing prior to the hearing of an interest in the subject of a hearing.

B. Appeals Jurisdiction. The Planning Commission shall have jurisdiction on appeals of decisions issued by the Zoning Administrator, and the City Council shall have jurisdiction on appeals from the Planning Commission. Decisions lawfully appealable to the California Coastal Commission shall be appealed to that body.

C. Except as specified by this Code, decisions that are recommendations to the Planning Commission or to the City Council are not subject to appeal.

20.04.080 – Time to file an appeal.

An appeal must be filed within ten (10) calendar days after the decision is made for which a public hearing was required. If the end of an appeal period falls on a weekend or a holiday, the appeal must be filed by the end of the first working day thereafter.

20.04.090 – Form of filing an appeal.

All appeals shall be filed with the appropriate fee with Planning Bureau of the Community Development Department on a form provided by that department.

20.04.100 – Time for conducting hearing of appeals.

A public hearing on an appeal shall be held:

A. In the case of appeals to the Planning Commission, within sixty (60) days of the date of filing of the appeal with the Community Development Department;

B. In the case of appeals to the City Council, within sixty (60) days of the receipt by the City Clerk from the Community Development Department of the appeal filed with the Department; or

C. The Director of Community Development may provide an extension of the period for an appeal to be adjudicated for up to ninety (90) days.

20.04.110 – Appeal Hearing—Notice.

A notice of the public hearing on the appeal shall be mailed by the Community Development Department to the applicant and any known aggrieved person not less than fourteen (14) prior to the hearing. Such notice shall contain the same information as the original notice except that it shall also give the appellant's name and state that the hearing is an appeal.

20.04.120 – Finality of appeals.

A. Decision Rendered. After a decision on an appeal has been made and required findings of fact have been adopted, that decision shall be considered final and no other appeals may be made except:

1. Projects located seaward of the appealable area boundary, as defined in Section 21.25.908 (Coastal Permit—Appealable Area) of the City's Zoning Regulations, may be appealed to the California Coastal Commission.

B. No Appeal Filed. After the time for filing an appeal has expired and no appeal has been filed, all decisions shall be considered final.

C. Local Coastal Development. Decisions on local coastal development permits seaward of the appealable area shall not be final until the procedures specified in Chapter 21.25 (Coastal Permit) of the City's Zoning Regulations are completed.

20.04.130 – Appeal Findings.

All decisions on appeal shall be based upon the same conclusionary findings, if any, required to be made in the original decision from which the appeal is taken.

20.04.140 – Appeal Fees.

A fee shall be charged for filing an appeal as established by Council resolution.

Table 1 - Ministerial Subdivision Actions

Subdivision Type	Ministerial Subdivision Approval		Notice Required
	Admin	ZA	
Certificate of Compliance			
Final Decision	X[(a)]		No
Lot Tie Covenant			
Final Decision	X[(a)]		No
Condo Conversion Exclusion			
Final Decision	X[(a)]		No
Lot Line Adjustment			
Final Decision	X[(a)]		No
Time Extension – Tentative Maps			
Final Decision	X[(a)]		No
Minor Amendments to Tentative Maps			
Final Decision	X[(a)]		No
Voluntary Lot Merger			
Final Decision	X[(a)]		No
Urban Lot Split			
Final Decision	X[(a)]		No

Abbreviations: Admin = Administrative Approval; ZA = Zoning Administrator

(a) Not subject to an appeal and is considered final upon approval.

Table 2 - Level of Review for Different Subdivision Actions

Subdivision Type	Responsible Hearing Body[b]			Notice Required[a]
	ZA	PC	CC	
Tentative Map[d]				
Tentative Tract Map – Non residential				
Initial hearing		X		Yes
Appeal			X	Yes
Tentative Tract Map ≥ 50 residential units/lots				
Initial hearing		X		Yes
Appeal			X	Yes
Tentative Condominium Map/Airspace Lots – Non residential				
Initial hearing		X		Yes
Appeal			X	Yes
Tentative Condominium Map/Airspace Lots ≥ 50 units				
Initial hearing		X		Yes
Appeal			X	Yes
Condo Conversion – Non residential				
Initial hearing		X		Yes
Appeal			X	Yes
Condo Conversion ≥ 50 residential units				
Initial hearing		X		Yes
Appeal			X	Yes
Tentative Tract Map With ≤ 50 residential units/lots				
Initial hearing	X			Yes
Appeal		X		Yes
Tentative Tract Map With 100% Affordable residential units/lots				
Initial hearing	X			Yes
Appeal		X		Yes
Tentative Condominium Map/Airspace Lots ≤ 50 residential units				
Initial hearing	X			Yes
Appeal		X		Yes
Condo Conversion ≤ 50 residential units				
Initial hearing	X			Yes
Appeal		X		Yes
Tentative Parcel Map				
Initial hearing	X			Yes
Appeal		X		Yes
Lot Merger				
City Initiated Lot Merger				
Initial hearing	X			Yes
Appeal		X		Yes
Street Name Change				
Initial hearing		X[c]		Yes
Right-of-Way Vacation (General Plan Conformity Finding)				
Initial hearing		X[c]		No

Abbreviations: Admin = Administrative Approval; ZA = Zoning Administrator; PC = Planning Commission; CC = City Council

(a) See Section 20.04 for appeal noticing requirements.
(b) Project within the Coastal Zone – Appealable Area of the City may be appealed to the California Coastal Commission.
(c) Recommendation to City Council, not subject to appeal pursuant to Chapter 20.04 – Appeals.
(d) Applicable to processing of Vesting Tentative Map.

CHAPTER 20.06 – TYPES OF MAPS REQUIRED

20.06.020 - Parcel map.

A. Whenever any provision of this title requires a subdivision map to be filed, such map shall be a tentative and parcel map if:

1. The subdivision includes four (4) or less lots or condominium units (or other common interest subdivisions) for residential development or use; or
2. The subdivision is for commercial or industrial development, and has the City's approval of the street alignments and widths; or
3. The land before division contains less than five acres, each lot created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the legislative body; or
4. Each lot will have a gross area of twenty (20) acres or more and has approved access to a maintained public street or highway; or
5. The land being subdivided is solely for the creation of an environmental subdivision pursuant to Map Act Section 66418.2.

20.06.040 – Final/Tract map.

A. Whenever any provision of this part requires a tentative map to be filed, such map shall be a tract map if the subdivision does not qualify for a parcel map pursuant to Section 20.06.020.

B. A tentative and final tract map shall be required for all subdivisions creating five or more lots, five or more condominiums as defined in Section 783 of the Civil Code, a community apartment project containing five or more lots, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units.

20.06.060 – Lot Line Adjustment.

A. Consistent with the Subdivision Map Act Section 66412(d), a tentative map and parcel map is not required for a lot line adjustment between four or fewer existing adjoining parcels where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created. Pursuant to the law, adjoining lots may be separated by road, streets, railroads or similar.

B. The final lot line adjustment shall be reflected in a deed, which shall be recorded to effectuate the lot line adjustment. As an alternative, a parcel map may be utilized in lieu of a lot line adjustment. Applicants may request a waiver of the tentative parcel map.

In addition to the recordation of deeds to perfect the lot line adjustment, modified deeds of trust will need to be executed by the lenders, if any.

C. Multiple lot line adjustments submitted concurrently or sequentially to circumvent the "four or fewer existing adjoining parcels" will not be permitted. A parcel map or tract map will be required. A waiver of a tentative parcel map may be granted.

20.06.080 – Maps Required.

A. Map requirements for the maps previously described as well as some other types of subdivision projects are summarized in Table 3—Maps Required for Various Subdivision Projects.

Table 3 - Maps Required for Various Subdivision Projects

Project Type	Maps Required	Notes
Subdivisions creating four or fewer lots or condominiums	Tentative parcel map or vesting tentative parcel map and final map.	Parcel map not required pursuant to Section 20.02.050 Q & R.
Subdivisions creating five or more lots or condominiums	Tentative tract map or vesting tentative tract map and final/tract map.	Parcel map may be substituted for final map, pursuant to Section 20.04.020 A – when permitted by the SMA.
Lot line adjustments between four or fewer existing adjoining parcels	Plat map exhibit, drawn to scale, and suitable for recording. A site plan to verify building code, zoning, access etc. is required.	A site plan is required and may trigger a record of survey. The record of survey may be submitted with the application.
Lot line adjustments between five or more existing adjoining parcels	Tentative map or vesting tentative map and final/tract map.	Parcel map may be substituted for final/tract map, pursuant to Section 20.04.020 A.
Lot combinations (voluntary mergers)	Plat map exhibit, drawn to scale, and suitable for recording. A parcel map will be required for more than four parcels being merged into less parcels.	Tentative map or waived tentative map application may be submitted with the application.
Certificates of compliance and conditional certificates of compliance	Plat map exhibit, drawn to scale, and suitable for recording.	Also needed: legal descriptions and plat maps shall be prepared by a qualified individual will also be required.
Residential or commercial condominium conversions	Tentative map or vesting tentative map and parcel or final/tract map, depending on the number of lots created.	Commercial condominium projects may submit a parcel map rather than a final map, pursuant to Section 20.04.020 A.2.

CHAPTER 20.08 – DESIGN STANDARDS[6]

20.08.010 – Purpose and applicability.

This chapter establishes standards for the design and layout of divisions of land. These standards apply to subdivisions and conditional certificates of compliance in addition to all other applicable requirements of the Municipal Code. The purpose of the standards is to ensure that new subdivisions are the result of thorough careful site evaluation and design and that they create lots that are compatible with existing neighborhoods, protect the natural environment, and enhance the health and safety of City residents. These standards have been developed to be consistent with the policies of the General Plan. Standards for the physical design of streets and associated public improvements can be found in the Public Works Engineering Standard Plans.

Footnotes:

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State Law reference— Provisions authorizing local agencies to regulate and control the design of subdivisions, Gov. Code § 66411.

20.08.015 - Density, use and standards.

The number of dwelling units permitted within a proposed subdivision, the use proposed for the subdivision, and the design of the project shall conform to the density and use established by the adopted general plan and shall comply with the use and other standards contained in the Zoning Regulations or as permitted by State Law.

20.08.020 – Lots.

The number, design, character, grade, location, and orientation of lots shall be appropriate to the subdivision location and to the type and density of development as permitted by the General Plan and the Zoning Regulations or as permitted by State Law. The following policies and standards shall be observed:

A. Lot Width and Area. The minimum width and area of all lots shall conform to the requirements of the zoning district in which the subdivision is located; provided, however, if a lot is located in a zoning district for which no minimum lot width or area is specified, it shall have a minimum width of fifty feet (50') and a minimum area of six thousand (6,000) square feet. The advisory agency, or City Council on appeal, may waive the lot width and area requirements in accordance with Section 20.12.120 if it finds that:

   1. Any lot facing on a curved street may have a frontage of less than required but not less than thirty-five feet (35'); or

   2. The majority of lots adjacent to or in the immediate vicinity of the proposed subdivision have a substandard lot size and/or substandard lot width; however, each new lot shall not have a lot width or size less than the average lot width and size existing within a radius of three hundred feet (300'); or

   3. The lot is a through lot with split zoning designations, frontage on two (2) parallel public streets and the lot has been developed with two (2) separate development projects fronting on each street.

B. These lot size requirements shall be waived for condominium and other common interest projects where:

1. One (1) lot is shown on the map and the lot boundaries overlay one (1) or more existing lots;
2. For lot line adjustments; and
3. For certificates of compliance.

C. Where determined necessary to promote the general welfare, the Planning Commission or the Zoning Administrator may require that lots within a subdivision be increased in size so as to conform to the size of existing nearby lots fronting on the same street; provided, however, that in such cases the Planning Commission or the Zoning Administrator shall not require that such lots be increased in area by more than fifty percent (50%) of the minimum lot area requirement of the zoning district.

D. Lot Lines. The side lot lines shall be at, or nearly at, right angles to straight street lines and radial to curved street lines, except where physical conditions would make this impracticable.

E. Lot Frontage. All lots within a proposed subdivision shall have a frontage on a public street or an approved private street.

F. Lots Adjoining City Limits. No lot shall be divided by a City or a County boundary line.

G. Lot Drainage. All lots shall be adequately drained. No cross-lot drainage shall be permitted.

20.08.030 – Blocks—Length.

To encourage alternative modes of transportation, on average, blocks shall range from 300 to 400 feet in length. Blocks that are greater in length, up to 1,320 lineal feet, may be appropriate based on street type, General Plan Placetype, mobility factors, infrastructure, and development patterns, subject to satisfaction of the Directors of Community Development and Public Works.

20.08.040 – Blocks—Corners.

The subdivider shall provide right of way dedications for corner cut-offs at all property corners to support installation of ADA compliant curb ramps and/or to provide for adequate line of sight for vehicular traffic to the satisfaction of the Director of Public Works.

20.08.050 – Freeways.

Freeways shall conform in width and alignment to those designated in the Mobility Element of the General Plan. If a parcel of land to be subdivided includes a portion of the right-of-way to be acquired for any such freeway, the subdivider shall dedicate the necessary right-of-way for the freeway. Access rights to this freeway shall also be abandoned with the final/tract map or parcel map.

20.08.060 – Street dedications.

Street dedications on a map shall conform to the design criteria included in the Mobility Element and Urban Design Element of the General Plan. If a parcel of land to be subdivided includes a portion of the right-of-way required to extend a street, the subdivider shall dedicate the necessary right-of-way for said street on a map or by separate instrument.

20.08.070 – Street access.

A. Each street, public or private, providing access to lots within a subdivision, shall provide access directly, or indirectly, such as through an intervening private street, to a public street outside

the subdivision. In general, streets shall be laid out to conform to the alignment of existing streets in adjoining subdivisions and/or to be a logical continuation of existing streets.

B. Dead-end streets without provisions for an adequate turnaround shall be prohibited. When a temporarily dead-ended street is extended to the boundary of the subdivision, a barricade, temporary turning area, or temporary connection to another street shall be required for any such street.

C. The Mobility Element of the General Plan includes a context-sensitive street classification plan that designates all streets within Long Beach as one of the following types:

1. **Local streets** primarily provide access to individual residential parcels. The streets shall have a right-of-way width of not less than fifty-six feet (56') with a roadway width of not less than thirty-six feet (36') to forty feet (40’) and are generally two lanes with on-street parking, tree planting strips, and sidewalks. Fire apparatus access roads serving structures, shall have an unobstructed width of not less than 26 feet.

2. **Neighborhood connector streets** serving residential areas but functioning as collector streets shall have a right-of-way width of not less than sixty- feet (60') with a roadway width of not less than forty feet (40'). Fire apparatus access roads serving structures, shall have an unobstructed width of not less than 26 feet.

3. A **minor avenue** provides for the movement of traffic to neighborhood activity centers and serves as a route between neighborhoods. They have a right-of-way width of sixty feet (60’) with a roadway width of fifty-four feet (54’) to sixty feet (60’) and have two to four lanes. Avenues serve as a primary bicycle route and may serve local transit routes as well.

4. A **major avenue** serves as the major route for the movement of traffic within the City as well as a connector to neighboring cities. Major avenues shall have right-of-way width of one hundred feet (100’) with a roadway width of eighty feet (80’) and may have four to six lanes. Most traffic using a major avenue will end the trip within the City (as opposed to through-traffic). As such, design treatment and traffic operation should give preference to this type of traffic. Long corridors with typically four or more lanes, avenues may be high- transit ridership corridors. Goods movement is typically limited to local routes and deliveries.

5. **Boulevards** are characterized by a long-distance, medium-speed corridor that traverses an urbanized area and typically consist of four or fewer vehicle travel lanes, but can have as many as eight lanes. These streets have a balanced multimodal function, landscaped medians, on-street parking, narrower travel lanes, more intensive land use oriented to the street, and wide sidewalks. Boulevards have a right-of-way width of eighty feet (80’) to one hundred feet (100’) and a roadway width of eighty feet (80’). Buildings uniformly line the edges.

   Multiway boulevards, a variation of the boulevard characteristic of post war neighborhoods, contain a central roadway for through- traffic and parallel roadways for access to abutting property parking, and pedestrian and bicycle facilities. Parallel roadways are separated from the through-lane by curbed, landscaped islands that may also provide transit stops and pedestrian facilities.

6. **Regional corridors** contain four to eight lanes and are designed for intraregional and intercommunity mobility. These corridors emphasize traffic movement and include signalized pedestrian crossings. Regional corridors have a right-of-way width of one hundred feet (100’) and a roadway width of eighty-four feet (84’). The adjacent land uses should

provide continuous mixed-use and commercial land uses with adequate off-street parking to minimize dependency on on-street parking.

In general, any proposed subdivisions that extend to these various types of streets, and have improvement requirements that affect these corridors, shall conform to the design criteria included in the Mobility Element and implementation plans. Another source of related guidance that applies to the design and improvements of City streets is included in Chapter 4 of the Urban Design Element under the heading of Street Types.

Exceptions for a narrower street width, or other deviations to the improvement standards described here, and covered in further detail in the Mobility Element, may be approved based on findings to the satisfaction of the Directors of Community Development and Public Works. Findings for exceptions shall describe extenuating circumstances, such as creating streets that conform better to development patterns in the vicinity, provide for superior mobility for all modes of transportation, address infrastructure deficiencies in the area, and promote the goals, objectives and policies of the General Plan.

20.08.080 – Private streets.

If off-street guest parking is provided as specified in the Zoning Regulations and if the street is not serving as a principal avenue of travel in the development, then such street may have a width of not less than twenty-eight feet (28') provided that curb parking shall be prohibited on one (1) side of the street. Private streets shall also incorporate safe places for pedestrians to walk within the project by the incorporation of sidewalks, separate walkways, or changes in hardscape to designate a pedestrian zone. The safety of pedestrians and bicyclists is the top priority with the design of private streets per the following provisions:

A. Provide a sidewalk of not less than five (5) feet in width along the length of at least one side of each private street.
B. Include appropriate speed control measures including roadway alignment, intersection spacing, bulb outs, etc., and shall provide adequate pedestrian and bicycle circulation patterns.
C. Include all relevant traffic safety features, including, but not limited to, traffic signs and markings, street lighting, cross walks with cross signals, and traffic signals.
D. Maintain and/or provide adequate public access to public facilities such as parks, schools, bike trails, transit stops, recreation areas, beaches, and other coastal recreations amenities.
E. Assure that access is provided for emergency vehicles.
F. The private street circulation pattern shall be designed to integrate with and minimize impacts to the adjacent public street system.
G. High volume private street developments shall provide multiple ingress/egress points as necessary to direct traffic to appropriately sized public streets.
H. Entrances to private streets, which have locking gates and are located on collector or larger streets, shall allow vehicles to turn around on-site without backing onto public streets. Adequate stacking room shall be provided between the entrance to private gated streets and the gate controller to avoid vehicle stacking across public sidewalks or intersections.
I. Private streets shall meet ADA requirements as required for public streets subject to the review and approval of the Director of Community Development and Director of Public Works.

J. Private streets in the coastal zone shall not obstruct visibility or physical access to coastal resources.
K. Fire apparatus access roads serving structures, shall have an unobstructed width of not less than 26 feet.

If at some future time a private street is offered for public dedication and use, said private street shall be brought into compliance with the standards required for public streets at that time, to the satisfaction of the Director of Public Works and prior to public acceptance of the dedication.

20.08.090 – Cul-de-sac.

A cul-de-sac shall not exceed five hundred feet (500') in length unless emergency access to a public street is provided at the closed end in which case no point on the cul-de-sac may be more than four hundred feet (400') from the emergency access or five hundred feet (500') from the normal access end. A turnaround having a minimum curb radius of not less than thirty-eight feet (38') shall be provided, except where extraordinary conditions make strict enforcement of this rule impractical. Dead end roads longer than 150 feet shall be provided with an emergency vehicle turnaround. Cul de sacs for roads longer than 150 feet are required to be a minimum of a 96-foot minimum Diameter".

20.08.100 – Service road.

Where a subdivision borders on a freeway or a regional corridor, and no alley access is feasible, a service road shall be provided. The service road shall have a roadway width of not less than twenty-four feet (24') for a one-way operation and twenty-eight feet (28') for two-way. An additional eight (8) foot right-of-way shall be provided on the residential side of the service road for sidewalks, street furniture, and parkway.

20.08.110 – Street Naming Requirements for Subdivisions of Land.

A. Proposed street names shall be substantially different from existing street names so as not to be confused in sound or spelling. Selected names need to be easy to spell, pronounce and read so the public, especially children, can say the name correctly in an emergency.

B. Street names must include an appropriate classification such as "street," "way," "lane," etc., to be determined by the Community Development Department.

C. Street names must have fewer than fifteen characters, including letters, punctuation, and spaces, but not including the street classification.

D. Each proposed street, which is a continuation of an existing street, shall be given the same name as that existing street. Two street segments that do not form a continuous street, and are not proposed to form one, must have different names.

E. Where several street names are to be designated, such as within a new subdivision, the street names should be thematically organized and related to the local area of the subdivision.

F. Proposed street names shall be shown on preliminary plats when submitted to the city for review.

20.08.115. - Street Name Changes for existing streets.

A. Purpose. An existing street name may be changed through the application process described below if good cause is shown that it would be beneficial to the neighborhood. Renaming of public or private streets or other named rights-of-way shall include early consultation with the affected community, multi-lingual notices in English, Spanish, and including any other language that is reasonably known to be prominent in the area. Local, state, and federal government agencies are exempted from this process.

B. Initiation. The Council, Planning Commission, Community Development Department or owner of adjoining property may initiate the renaming of an existing street. A nonrefundable application fee, established by the council, will be charged to a property owner initiating the process.

C. Application Information. The initiating party must file a completed street name application with the Community Development Department. The application shall include the following:

    1. A map with the existing street name, proposed street name and the reason for the requested street name change.

    2. The width and length of the right-of way.

    3. A location map showing the street, or the portion of a street proposed for renaming.

    4. A list of names and addresses of all affected property owners and occupants with their corresponding Assessor's Parcel Number (APN).

    5. A petition signed and dated by over sixty-six percent (66%) of the affected property owners and tenants with their printed names and addresses which shall indicate their support of the proposed street renaming.

D. Staff Recommendations. The Community Development Director shall submit a staff report evaluating the proposed street name change with applicable materials prepared by the applicant to the Planning Commission for review at a noticed public hearing.

E. Noticing.

    1. All abutting property owners and residents who will be affected by the proposed change shall be notified by mail of the scheduled public hearing on such a change.

F. Planning Commission Action. A street name change may be recommended for City Council approval by the Planning Commission through a resolution, based on the following findings, and subject to the following conditions:

    1. Street change naming findings.

        a. The proposed street name meets all the criteria contained in Section 20.08.110.

b. The public record supports that the proposed street name change is supported by property owners, residents, and business owners, and will be beneficial to the overall affected community.

2. Street change naming conditions.

a. Once the name change is approved by the City Council by recommendation of the Planning Commission, the Director of Public Works shall change City maps and street signs as necessary. The City may assess the applicant for reasonable costs for changing maps and replacing or installing signs.

b. The Community Development Department must notify all the appropriate public agencies and the property owners and tenants along the affected street.

20.08.120 – Alleys.

Alleys are a key design tool in residential neighborhoods to reduce trip generation on adjacent streets, to minimize the dominance of garage doors on the streetscape, and to improve the pedestrian orientation and larger multimodal network connectivity of local streets. Whenever practicable, alleys shall be required at the rear of all lots that are in residential zones and that front an arterial street, or where the front vehicular access is impractical, undesirable, or limited. Each new residential alley shall have a minimum width of twenty feet (20'). The Planning Commission or Zoning Administrator may require widening of an existing alley if it has a width of less than twenty feet (20'). All dead-end alleys shall be constructed with adequate turning areas. Alleys serving industrial zones shall be 30 feet wide to accommodate large vehicle maneuvering, unless otherwise approved by the designated review authority.

20.08.130 – Sidewalks.

In compliance with the Americans with Disabilities Act (ADA) and to promote accessibility for people of all abilities, a sidewalk shall be provided along each side of each street and shall have a minimum clear width of five feet (5'). Encroachments may be permitted pursuant to Public Works standards, but in no case shall it be reduced to less than forty-eight inches (48”) clear. In circumstances where there is limited space to provide sidewalks on both sides of the street, alternative mobility improvements or amenities in the project may be considered with the support of the Director of Public Works. The final decision-making authority for the map (Planning Commission or Zoning Administrator) shall include findings to document the rationale for why an exception to the typical standard was supported.

20.08.140 – Bikeways.

Bikeways shall be provided in accordance with the adopted mobility element of the general plan. The bikeway system shall meet minimum State standards.

20.08.150 – Utility easements on a map.

The subdivider shall dedicate all necessary easements for utility purposes, including but not limited to gas, water and sewer as required by the Planning Commission or the Zoning Administrator.

20.08.160 – Model Homes.

Model homes are often provided as examples of housing types available for sale in residential subdivision tracts. Model homes are subject to the following:

A. Not more than fifteen percent (15%) of the overall units, and in no case more than the total number of different floor plans offered in a subdivision, may be designated as sites for the construction of model homes;

B. For a project which consists of condominium or other common interest units within one building with common garage parking, the model home or unit shall be a temporary structure on the site;

C. Such model home sites shall be located in such a manner that existing developed residential properties shall not be adversely affected;

D. Such model sites shall be easily accessible, and provision for such accessibility shall be assured at the time the tentative map is approved;

E. A parking plan shall be submitted and approved to the satisfaction of the Director of Community Development or Designee;

F. Model home complex projects shall be subject to approval from the Site Plan Review Committee; and

G. In accordance with Section 18.04.040.A.1.3, building permits for model homes will not be issued until the property owner has complied with all of the requirements listed above and the Director of Public Works has granted permission authorizing permit issuance.

20.08.165 – Monuments.

For all subdivisions defined in the sections of this ordinance, monuments shall be set that are sufficient to re-trace the boundaries of the subdivisions and shall be set prior to the filing of the subdivision map as follows:

A. All exterior boundary corners shall be marked with a 2-inch diameter iron pipe (minimum of 24 inches long) placed a minimum of 0.10 feet below the surface of the land unless an alternative to said pipe has been approved by the Designated City Surveyor.

B. All interior lot and parcel corners shall be marked with a 1-inch diameter iron pipe (minimum of 18 inches long) placed a minimum of 0.10 feet below the surface of the land unless an alternative to said pipe has been approved by the Designated City Surveyor.

C. All centerline monuments shall be placed in a monument well at the actual centerline intersection of streets and points of curvature (beginning of curves, end of curves, points of reverse curvature, etc.) and built and installed per an approved city standard plan and approved by the Designated City Surveyor prior to installation. If the centerline intersection falls on a manhole or other utility cover, it shall be evidenced by a monument well per an approved city standard plan within a 5-foot offset, on line with the centerline in one direction. Additional distance to be approved by the Designated City Surveyor.

D. All centerline monuments shall be set with a minimum of four tangent over ties with the tag of the licensed surveyor in a location that shall not be disturbed or destroyed. Each centerline

monument shall have centerline ties and a Corner Record submitted to the County of Los Angeles. The Corner Records shall be reviewed and approved by the Designated City Surveyor prior to submission to the County of Los Angeles.

E. Found existing survey monuments, if accepted, that are illegible, do not contain a tag, are damaged, and/or of no reference, shall be tagged by the licensed surveyor performing the subdivision and/or reset if damaged. All monuments found, set, reset, replaced, or removed, describing their kind, size, and location, and giving other data relating thereto.

Any monument accepted for survey control that is found to be insufficient in character, markings and material by the Designated City Surveyor shall be replaced with a monument per an approved city standard plan. The Designated City Surveyor shall determine the durability of a monument. All spikes having a shank of less than 4 ½" are not considered to be durable.

F. All monuments defined in this section shall comply with sections 8771 and 8772 of the California Business and Professions Code.

G. At no time will the use of Real Time Kinematic GPS (RTK or RTN) be allowable for the methods of setting or locating the positions of found or set monuments. This policy includes found or set monuments ties and the use of benchmarks.

H. The Designated City Surveyor may request any survey related documents, including, but not limited to, field notes, photographs, adjustments, CAD files prior to acceptance or approval of documents.

20.08.170 – Right-of-way vacation.

A. The release of dedicated right-of-way for use for other purposes known as a “right-of-way vacation” or street abandonment is subject to the provisions and requirements of the California Streets and Highways Code Section 8300-8363. The processing of a right-of-way vacation typically accompanies a development application and is shown on a parcel or tract map, but may also be processed separately from a development application.

B. An applicant for a right-of-way vacation shall submit a preliminary title report that is specific to the portions of the right-of-way that are to be vacated and a preliminary right-of-way vacation map that contains the following information:
    1. North arrow and scale. The scale shall be as large as possible to show the area being vacated and its relationship to surrounding properties.
    2. Area. The overall area to be vacated needs to be clearly indicated and its overall area in square feet shown on plans.
    3. Utilities and easements. The location of all existing utilities shall be shown on the map, including water, sewer, storm drain, telephone, gas, cable TV, streetlights, fire hydrants and any other public infrastructure. Also, any easements listed in the title report or otherwise in effect must be shown on the map.

4. Frontage improvements. The existing frontage improvements for all streets adjacent to the property; include sidewalk, curb, gutter, driveway approach, storm drain inlets, retaining walls, parkways, and street trees.
5. Structures. Show the footprint of all structures on lots adjacent to the proposed abandonment and provide the dimensions of the building setbacks to the proposed right-of-way line.

C. In evaluating a right-of-way vacation, the City needs to make the following findings:
    1. The City right-of-way will not be needed for present or future public right-of-way purposes.
    2. The continued access to any City or public utility services and improvements will be properly reserved.
    3. The right-of-way vacation is consistent with goals and policies of the General Plan referencing specific applicable provisions.

D. The Planning Commission reviews the proposed right-of-way vacation to determine that is consistent with the City's General Plan and forwards a report to the City Council recommending approval of the right-of-way vacation, based on findings, and subject to conditions.

E. The City Council makes the final decision regarding a right-of-way vacation with a two-step hearing process:
    1. With support by the Planning Commission that the right-of-way vacation is consistent with the General Plan, the City Council shall pass a Resolution of Intention to formally consider the request and set a public hearing.
    2. At a second public hearing after adoption of the Resolution of Intention, the City Council may adopt a final Resolution of Abandonment and record the document with the County Recorder.

CHAPTER 20.10 – DEDICATION AND IMPROVEMENTS[7]

Footnotes:

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Cross reference— Provisions on the Planning Commission, see the City Charter.

State Law reference— Provisions authorizing local agencies to regulate and control the design and improvement of subdivisions, Gov. Code § 66411; provisions on the "advisory agency," see Gov. Code § 66415.

20.10.010 – Dedication requirements for public street rights-of-way.

As a requirement of approval of a subdivision map, a subdivider shall make provisions for dedication of necessary public rights-of-way and necessary easements within or adjacent to the subdivision as required by the Planning Commission or the Zoning Administrator in accordance with the design standards of this part. The dedication requirements shall not be waived unless the Planning Commission or the Zoning Administrator finds that such dedication will not be necessary for present or future usage.

20.10.020 – Access rights.

Where it is in the interest of public safety or welfare to limit the access to any street or highway, the City may waive direct access rights to such street or highway. In these cases, access restrictions shall be shown on the final map. Access rights to certain street classifications can be abandoned with the final map, or separate instrument except at locations as approved by the Planning Commission in accordance with Title 14 of the Municipal Code.

20.10.030 – Public access to public resources.

A. In the event that a proposed subdivision is fronting upon the coastline or is traversed by any minor watercourse, channel, stream, or creek, the subdivider shall dedicate or make an irrevocable offer to dedicate a public access to such resources in accordance with the provisions of the current Subdivision Map Act. Such tentative subdivision map shall not be approved unless the Planning Commission or the Zoning Administrator finds that there is a public access by fee or by easement from a public right-of-way to land below the ordinary high tide level on any ocean coastline or bay shoreline or the bank of the water within or at a reasonable distance from the subdivision.

B. In making the determination of what shall be reasonable public access, the Planning Commission or the Zoning Administrator shall consider:

   1. That access may be by highway, walking trail, bikeway, or any other means of travel;

   2. The size of the subdivision;

   3. The type of coastline or shoreline and the various appropriate recreational, educational, and scientific uses, including, but not limited to, diving, sunbathing, surfing, walking, swimming, fishing, beachcombing, taking of shellfish, and scientific exploration; and

   4. The likelihood of trespassing on private property and reasonable means of avoiding such trespasses.

20.10.040 – Improvements—Required.

A. As a condition of approval of a subdivision map, the subdivider shall improve or agree to improve public and private rights-of-way and perform land development works as required in these regulations. Improvements shall be installed or provided to the satisfaction of the Director of Public Works in accordance with the standard specifications prepared by the Director of Public Works. Such specifications shall be furnished to the subdivider. As a general rule, public and private rights-of-way improvements shall be performed after the installation of underground utilities to minimize disruption to area circulation.

B. The subdivider may be relieved from up grading existing improvements to current standards if such improvements are in good condition and failure to perform such upgrading would not be detrimental to public health, safety, or welfare, as determined by the Planning Commission or the Zoning Administrator.

C. No improvements shall be required beyond those required in the approval of the tentative map.

20.10.050 – Subdivision map improvements—Designated.

Through the submittal of public improvement plans that are reviewed in conjunction with the final map, the following types of improvements and facilities are verified to be sufficiently detailed to determine consistency with City Engineering Standards and other applicable requirements.

A. Drainage. Grading, drainage, and drainage structures that are necessary for public safety and the proper use of properties and public rights-of-way.

B. Public Rights-of-Way. The subdivider shall improve all rights-of-way within or abutting the subdivision, including any existing public rights-of-way and any required modification to existing improvements.

C. Sanitary Sewers. Each lot shall be provided with a separate sewer line connection to the public sewer. Any necessary sewer facilities shall be constructed as required by the Planning Commission or the Zoning Administrator.

D. Subsoil Stability. All improvements and actions recommended in the approved soil report (if required) shall be provided to the satisfaction of the Superintendent of Building and Safety.

E. Fire hydrants and other fire prevention facilities are required.

F. Utilities. All public utilities, including transmission or distribution lines serving a new subdivision shall be placed underground, except as waived by the Planning Commission or the Zoning Administrator. Support equipment for underground transmission or distribution lines such as, but not limited to, risers and meter assemblies, may be located above ground.

G. Monuments. Durable survey monuments shall be set in accordance with criteria established by the Director of Public Works and Section 20.08.165.

H. Street lighting, traffic control devices, name signs, and other street furniture such as benches, bike racks, and bus shelters.

20.10.060 – Improvement plans.

A. The subdivider shall furnish all plans necessary to construct the required improvements to the Director of Public Works and Community Development Director or designees prior to approval of the final subdivision map or the certificate of compliance.

B. Improvement plans shall be prepared by or under the direction of a California registered professional engineer working within the area of expertise.

20.10.070 – Improvement security—Required.

A. Any improvements, contract, or act required or authorized under any approval granted, subject to the provisions of this part, not in place prior to approval of the final map shall be secured by one of the following ways to the satisfaction of the Director of Public Works.

1. Bond or bonds by one (1) or more duly authorized corporate sureties;

2. To the satisfaction of the Director of Public Works, an instrument of credit from one (1) or more financial institutions, subject to regulation by the state or federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment; or

3. A lien upon the property to be divided, created by contract between the owner and the City, if the City finds that it would not be in the public interest to require the installation of the required improvement sooner than two (2) years after the recordation of the map.

B. Any written contract of security interest in real property entered into a security for performance pursuant to Subsection A shall be recorded with the County Recorder. From the time of recordation of the written contract or document creating a security interest, a lien shall attach to the real property particularly described therein and shall have the priority of a judgment lien in an amount necessary to complete the agreed to improvements. The recorded contract or security document shall be indexed in the grantor index to the names of all record owners of the real property as specified on the map and in the grantee index to the City which approved the map. The advisory agency may at any time release all or any portion of the property subject to any lien or security interest created herein or subordinate the lien or security interest to other liens or encumbrances, if it determines that security for performance is sufficiently secured by a lien on other property or that the release or subordination of the lien will not jeopardize the completion of agreed upon improvements.

Any such security agreement shall be in substantially the form described in Section 66499 of the Subdivision Map Act.

C. Final/Tract Map. Subdivision security agreements for final tract maps shall be authorized by the City Council and executed by the City Manager.

D. Parcel Map. The Director of Public Works is authorized to enter into, and the Director of Public Works shall execute, security agreements for improvements as required in the tentative map.

20.10.080 – Improvement security—Amount.

Security to guarantee the performance of any act or agreement shall be in the following amounts:

A. An amount determined by the Director of Public Works, not less than one hundred percent (100%) of the total estimated cost of the improvement or of the act to be performed, conditioned upon the faithful performance of the act or agreement; and

An additional amount determined by the Director of Public Works not less than fifty percent (50%) of the total estimated cost of the improvement or the performance of the required act, securing payment to the contractor, his subcontractors, and to persons furnishing labor, materials, or equipment to them for the improvement or the performance of the required act.

B. An amount determined by the Director of Public Works necessary for the guarantee and warranty of the work for a period of one (1) year following the completion and acceptance thereof against any defective work or labor done or defective materials furnished.

20.10.090 – Improvement security—Release.

The improvement security hereunder shall be released in the following manner:

A. Security given for faithful performance of any act or agreement shall be released upon the final completion and acceptance of the act or work, subject to the provisions of Subsection B hereof.

B. The City Council or the Director of Public Works may release a portion of the security in conjunction with the acceptance of the performance of the act or work as it progresses, upon application therefor, by the subdivider; provided, however, that no such release shall be for an amount less than thirty percent (30%) of the total improvement security given for faithful performance of the act or work, and that the security shall not be reduced to an amount less than ten percent (10%) of the total improvement security given for faithful performance until final completion and acceptance of the act or work. In no event shall the City Council or the Director of Public Works authorize a release of the improvement security which would reduce such security to an amount below that required to guarantee the completion of the act or work and any other obligation imposed by this part, the Subdivision Map Act, or the improvement agreement.

C. Security securing the payment to the contractor, subcontractors, and persons furnishing labor, materials or equipment may, after passage of the time within which claims of lien are required to be recorded pursuant to Article 3 (commencing with Section 3114) of Chapter 2 of Title 15 of Part 4 of Division 3 of the Civil Code and after acceptance of the work, be reduced to an amount not less than the total claimed by all claimants for whom claims of lien have been recorded and notice thereof given in writing to the legislative body, and if no such claims have been recorded, the security may be released in full.

D. No security given for the guarantee or warranty of work shall be released until the expiration of the period thereof.

20.10.100 – Supplemental improvements for drainage, sewerage, bridges, and major thoroughfares.

A. If the City or the Water Department has adopted a local drainage plan or map as required for the imposition of fees therefor or has established an area of benefit for bridges or major thoroughfares as provided in this Title, the City or the Water Department may impose a reasonable charge on property within the area benefitted and may provide for the collection of said charge as stated herein. The City or the Water Department may enter into reimbursement agreements with a subdivider who constructs said bridges or thoroughfares and the charges collected therefore may be utilized to reimburse the subdivider as herein stated.

B. Reimbursement Agreements. If the subdivider has installed any supplemental improvements as required by the City, the subdivider shall be reimbursed for that portion of the cost of such

improvements equal to the difference between the amount it would have cost the subdivider to install such improvements to serve the subdivision only and the actual cost of such improvements pursuant to this part.

CHAPTER 20.12 – TENTATIVE MAPS[3]

Footnotes:

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State Law reference— Provisions on maps generally, Gov. Code § 66425 et seq.; provisions on tentative maps, Gov. Code § 66452 et seq.

20.12.010 – Required.

When a final/tract map or a parcel map is required, a tentative map shall first be filed with the Community Development Department. A tentative parcel map may be waived for a project that includes but not limited to an urban lot split, as defined in Chapter 20.18, or in lieu of a lot line adjustment, as defined in Chapter 20.20, at the discretion of the decision-making body pursuant to Section 20.12.140.

20.12.020 – Preparation.

A tentative map shall be prepared by a qualified California registered civil engineer or a California licensed surveyor in accordance with these regulations. Civil engineers with licenses prior to January 1, 1982 (with a license number before 33966) are authorized to practice all land surveying and engineering surveying.

20.12.030 – Tentative Map form and contents.

A tentative map (PDF) shall not exceed the scale of one (1) inch equals one hundred (100) feet, and shall contain the following information:

A. The County subdivision map number – such number must be obtained from the Los Angeles County Engineer.

B. North arrow, scale, and generalized vicinity map.

C. Name and address of record owner(s), subdivider(s), and the person who prepared the map with the applicable registration or license number.

D. The locations, names and width of all roads, streets, highways, and alleys in the proposed subdivision and along the site's boundaries.

E. The boundaries of the subdivision, defined by legal description, with sufficient information to locate the property and to determine its position with respect to adjacent named or numbered subdivisions, if any.

F. The lines and approximate dimensions of all existing and proposed lots, and the number assigned to each lot, the total number of lots, and the area of each lot (net and gross). Lots shall be numbered sequentially.

G. The location and outline to scale of all existing structures, including active, inactive and abandoned oil wells within the subdivision and all structures outside the subdivision and within ten feet of the boundary lines, the distances between structures to be retained and existing or proposed street and lot lines, and notations concerning whether structures are to be retained or removed.

H. Existing and proposed topographic information shall be provided and shall be tied to the City's datum. Contour lines shall have the following intervals:

1. Two-foot contour interval for ground slope between level and ten percent; and
2. Five-foot contour interval for ground slope exceeding ten percent.

I. The approximate location, height, trunk diameter and general description of any trees over three inches in diameter at the trunk, measured at a height of 48 inches above grade, with notations as to their proposed retention or removal.

J. The directions of flow of all watercourses and flood-hazard areas within and adjacent to the property involved per Federal Emergency Management Agency (FEMA) Flood Insurance Rate (FIRM) maps, and the proposed method of providing storm water, drainage, and erosion control.

K. A mapping of the flood zones from the current FEMA for tidal and fluvial flooding including the following:

1. Projected sea level rise and storm flooding for the life of the project based upon the most current science-based projection of sea level rise including a 100-year storm and wave run up.
2. Projected coastal erosion based upon a detailed assessment of site geology, sea level rise, and waves.
3. Projections of flooding shall be based on site and/or near shore bathymetry.

L. The location and extent of any known jurisdictional wetland areas or other sensitive habitat areas such as rare and endangered plant species or riparian vegetation.

M. The location of the site's scenic landscape features and scenic corridors, shorelines, ridgelines, and skylines, as defined in the City's General Plan, Local Coastal Program, and State law, and an assessment of the visibility of any future development from or within scenic corridors.

N. The locations, widths, and purposes of all existing and proposed easements for utilities, drainage, and other public purposes, shown by dashed lines, within and adjacent to the subdivision (including proposed building setback lines, if known).

O. All existing and proposed utilities including, but not limited to, size of gas and water lines, size and grade of sewer lines, locations of manholes, valve lids, fire hydrants, street trees and streetlights.

P. The locations of any existing or abandoned wells, septic leaching fields, springs, water impoundments and similar features to the extent they affect the proposed use of the property.

Q. The boundaries, size and use of existing and proposed public areas in and adjacent to the subdivision. If land is to be offered for dedication for open space park or recreation purposes or for purpose of providing public access to any public waterway or recreation area, it shall be so designated.

R. The outer boundary of the property to be subdivided shall be based on a field survey performed by a licensed land surveyor or civil engineer authorized to practice land surveying, with proper controlling monumentation and boundary establishment methods. In the event a subdivision map is not filed, a record of survey shall be filed on the exterior boundary. A copy of which shall be submitted to the Designated City Surveyor.

S. The Basis of Bearings shall be based on the California Coordinate System and be in compliance with the California Public Resource Code.

T. The licensed land surveyor or civil engineer shall note and remedy any encroachments issues prior to the filing of the subdivision map.

20.12.035 - Accompanying Data**.**

The subdivider shall file copies of drawings, statements, and other data with the Community Development Department as applicable to the proposed tentative map, including, but not limited to the following:

A. Zoning. A statement of existing and proposed zoning and land use.

B. Site Development. A statement of proposed improvements and landscape modifications, including the estimated time of completion in relation to subdivision of the property.

C. Public/Private Areas. A description of proposed public or commonly held areas and draft open space easement agreements, if applicable.

D. Subdivision Exceptions. Any exception being requested of these regulations shall be clearly labeled and identified as to nature and purpose. A written statement justifying the exception shall be submitted by the applicant separate from the map.

E. When it is known that separate final maps are to be filed on portions of the property shown on the tentative map, the subdivision boundaries which will appear on the final maps and the sequence in which the final maps will be filed.

F. CC&Rs. Draft covenants, conditions and restrictions if they are integral to the development concept or proposed atypical requirements.

G. Drainage Study. Two (2) copies of the preliminary drainage study showing or explaining the drainage area tributary to the subdivision and a statement setting forth in detail the manner in which storm water run-off will enter the subdivision, the manner in which it will be carried through the subdivision, and the manner in which disposal beyond the subdivision boundaries will be accomplished. This shall be done in accordance with the applicable City regulations and shall be prepared by a civil engineer registered in the State of California.

H. Soils Report. A preliminary soils report (prepared by a qualified engineer registered in this State) based on adequate test borings, is required. The requirement for a preliminary soils report may be waived by the City Public Works Director in circumstances where earlier projects on the same site have provided a soils report, or where the Director determines that adequate records (or knowledge of soil qualities) exist that do not warrant a soils report.

I. Preliminary Title Report. One copy of a preliminary title report dated not more than three (3) months prior to submittal of the application.

J. Survey Data. All survey data required to review the map (i.e. preliminary title reports, closure reports, underlying deeds, map references, etc.). The Designated City Surveyor may request any survey related documents, including, but not limited to, field notes, photographs, adjustments, CAD files prior to acceptance or approval of documents.

K. Affordable Housing Plan and Statement. Unless exempt, the applicant shall submit an affordable housing statement in compliance with the City's Inclusionary Housing Requirement. The map or plans should identify location of affordable units.

L. Based on the unique circumstances at the site, other documents or information requested by the Director of Community Development to process the tentative map.

20.12.037 - Special Studies.

In addition to the tentative map and accompanying data, supplemental materials may be required to be filed depending on the site's location and potential impact on various resources or consistency with City plans and policies:

A. A phase 1 cultural resources inventory to identify any potential archaeological, paleontological, or historic on-site resources, including historic artifacts and structures, and tribal cultural resources.

B. In potential noise sensitive areas identified in the General Plan Noise Element, specific site analysis by an acoustical engineer or other approved professional with qualifications in acoustic design may be required by the Community Development Director. The study shall define the noise exposure problems, conclusions, and recommendations for corrective or mitigating measures, when necessary, and opinions and recommendations covering the suitability of the site for development.

C. Sewer Capacity Study. A preliminary sewer capacity study (prepared by a qualified engineer registered in this State) based on either sewer system model results, or flow monitoring with a sewer capacity study approved by the Long Beach Water Department (LBWD). The capacity study shall ensure that the sewer system can accommodate a proposed development, and if not, identify needed improvements required for the development.

D. Hydrology Report. In certain areas where there is a known high water table, a hydrologic report shall be prepared that evaluates the existing water table and identifies potential issues with new development. The report shall be prepared by a qualified geologist or hydrologist and shall include recommendations for site preparation, foundation design, and other strategies to offset potential impacts.

E. Septic Systems. Septic Tanks and Leach Fields shall be abandoned or removed in accordance with plans approved by the Community Development Department and the Health Department. All sewage shall be disposed of by an approved connection to the appropriate Public sewer system.

F. Potable and/or Recycled Water System Analysis: A preliminary potable and/or recycled system analysis shall be prepared by a qualified engineer to evaluate existing system capacity in the area and improvements needed to serve the new demand created by the project to the approval of LBWD.

G. Maps for condominium projects shall indicate the address of the property and the number, size and location of proposed dwelling units, parking spaces, and private or public open spaces. For all condominium projects, the floor area of each floor shall be shown in proper scale and location together with the plan view of each ownership unit. Further information regarding condominium projects and other common interest subdivisions is included in Chapter 20.30.

20.12.040 – Completeness determination required for filing.

A. If the tentative map or the accompanying drawings, statements or other data are found to be incomplete or incorrect, the subdivider shall be advised in writing of the changes or additions within 30 days.

B. A tentative map shall not be deemed complete for processing until it complies with all provisions of this Section and any additional information as required by the Director of Community Development.

20.12.050 – Review by other City departments and agencies.

The Planning Bureau shall transmit copies of the tentative map and other required information to each of the following: Department of Public Works, Building Bureau, Fire Department, Energy Resources Department, Water Department, utility companies, and to such other agencies that it determines may be affected or may have an interest in the proposed subdivision.

These departments or agencies shall submit their written reports and recommendations within the time specified by the Planning Bureau; such time limit shall not be more than fifteen (15) working days from the date of the transmittal letter. Failure of any department or agency to respond within the prescribed time limits shall be deemed to mean that it has no recommendations and no objections to the proposed subdivision. If requested, the Planning Bureau may grant an extension of time to respond, especially if the proposed subdivision is exceptionally complicated.

20.12.060 – Staff recommendations.

The Community Development Department shall prepare staff recommendations in writing. A copy of this report shall be available to the Planning Commission or the Zoning Administrator and the subdivider at least three (3) days prior to the date set for the hearing.

20.12.070 – Hearing—Time to be held.

Within fifty (50) days after a tentative map has been deemed complete for processing consistent with the State Permit Streamlining Act, the Planning Commission or the Zoning Administrator shall consider the tentative map at a regularly scheduled public hearing. Such time period may be extended by mutual consent of the subdivider and the Community Development Department. As appropriate and to increase processing efficiency, any Site Plan Review, Variance, or other related planning entitlement related to the same project as the tentative map request should be processed together and consolidated on applicable hearing agendas.

20.12.080 – Hearing—Notice.

When a provision of this title requires notice of a public hearing, notice shall be given in all of the following ways, consistent with the review processes described in Sections 20.04.020, 20.04.030, 20.04.040, and 20.04.070:

A. Notice of the hearing shall be mailed or delivered at least 14 days prior to the hearing to the owner of the subject real property as shown on the latest equalized assessment roll. Instead of using the assessment roll, the local agency may use records of the county assessor or tax collector if those records contain more recent information than the information contained on the assessment roll. Notice shall also be mailed to the owner's duly authorized agent, if any, and to the project applicant.

B. When the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7) requires notice of a public hearing to be given pursuant to this section, notice shall also be given to any owner of a mineral right pertaining to the subject real property who has recorded a notice of intent to preserve the mineral right pursuant to Section 883.230 of the Civil Code.

C. Notice of the hearing shall be mailed or delivered at least 14days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

D. Notice of the hearing shall be mailed or delivered at least 14 days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the hearing. In lieu of using the assessment roll, the local agency may use records of the county assessor or tax collector which contain more recent information than the assessment roll. If the number of owners to whom notice would be mailed or delivered pursuant to this paragraph or paragraph (A) is greater than 1,000, a local agency, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the local agency in which the proceeding is conducted at least 14 days prior to the hearing.

E. The notice shall include the date, time, and place of a public hearing, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing. Consistent with Municipal Code Section 21.21.304, all notices shall contain as a minimum, the following information:

1. The applicant's name;
2. The filing date;
3. The case number for the project;
4. The location of the project, including an indication of whether it is in the coastal zone;
5. An indication of whether the project is appealable to the Coastal Commission;
6. A description of the project;
7. The reason for the public hearing;
8. The date, time and place of the public hearing;
9. The general procedures for the hearing and the receipt of public comments;
10. The means for appeal, including an appeal to the Coastal Commission when applicable; and
11. A statement stating substantially the following:
    "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".

If the notice is mailed or delivered pursuant to paragraph D above, the notice shall also either be:

1. Published pursuant to Section 6061 in at least one newspaper of general circulation within the local agency which is conducting the proceeding at least 10 days prior to the hearing; or

2. Posted at least 14 days prior to the hearing in at least three public places within the boundaries of the local agency, including one public place in the area directly affected by the proceeding.

F. All notices shall be posted to the City's website, along with other forms of electronic communication that are specified with an approved electronic communications policy. In addition to the notice required by this section, a local agency may give notice of the hearing in any other manner it deems necessary or appropriate.

20.12.090 – Planning Commission or Zoning Administrator—Action.

The Planning Commission or the Zoning Administrator shall determine whether a tentative map should be approved, conditionally approved, or disapproved.

20.12.100 – Planning Commission or Zoning Administrator—Requirements for approval of tentative parcel and tract maps.

The Planning Commission or the Zoning Administrator shall approve a tentative map if the map complies with State and local regulations and if all of the following findings are made:

A. That the proposed map design and improvements is consistent with the applicable general plan, specific plans, the Zoning Ordinance, and does not violate local or state laws regarding subdivisions;

B. That the site is physically suitable for the type of development, including the proposed density;

C. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish and wildlife or their habitat;

D. That the design of the subdivision or the type of improvement is not likely to cause serious public health or safety problems;

E. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision; and

F. That the design of the subdivision or the type of improvements is consistent with the Local Coastal Plan (LCP) as it considers projected sea level rise, slope stability, hazards and potential storm flooding for the life of the project based on available FEMA information.

20.12.110 – Planning Commission—Conditional approval.

The Planning Commission or the Zoning Administrator shall impose those requirements and conditions necessary to bring a proposed subdivision into full compliance with these regulations and other City ordinances.

20.12.120 – Planning Commission or Zoning Administrator—Findings required for modifications or exceptions.

The Planning Commission or the Zoning Administrator may grant modifications or exceptions to the requirements of these regulations if it makes any of the following findings:

A. The land involved in the subdivision is unusual because of the size, shape, or topographical conditions;

B. The improvement required would create conflicts with City plans, policies, and the existing pattern of improvement in the area;

C. Conformance with all the requirements would impose an unnecessary hardship upon the subdivider;

D. The subdivision design is of such a unique nature that it will result in a healthful, convenient, efficient, and attractive environment without sacrificing light, air, or any other factors which comprise a successful subdivision;

E. The requested exception is supportable given that the overall design will result in beneficial impacts by its incorporation of sustainable features to improve energy efficiency, and other improvements to enhance mobility within the development for pedestrians and alternate modes of transportation;

F. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish and wildlife or their habitat;

G. The requested exception will be consistent with the Local Coastal Plan (LCP), because it considers projected sea level rise and potential storm flooding for the life on the project based on available FEMA information.

Such findings shall be made in writing and shall be presented at the public hearing.

20.12.130 – Planning Commission or Zoning Administrator—Disapproval.

The Planning Commission or the Zoning Administrator shall deny a tentative map if it cannot make all of the required findings listed in Section 20.12.100. Such findings shall be made in writing and shall be presented at the public hearing.

20.12.140 – Zoning Administrator—Waiver of final parcel map.

A. The subdivider may request a waiver of the requirement to file a (final) parcel map for:

1. Subdivisions that meet the parameters of Sections 66426, 66428 and 66428.1 of the Subdivision Map Act;
2. A new condominium project on a single parcel that was previously mapped and monumented in a manner satisfactory to the Designated City Surveyor in accordance with Section 66428(b) of the Subdivision Map Act;
3. A condominium conversion project creating four (4) or fewer condominium units;
4. A new commercial or industrial condominium project on a single parcel;
5. Conversion of existing development to four or fewer commercial or industrial condominiums;
6. The new commercial or industrial portion of a mixed-use condominium project on a single parcel; or
7. An Urban Lot Split.

B. Required Findings. The Zoning Administrator may determine that the recordation of a (final) parcel map be waived after a tentative map is approved if it makes all of the following findings:

1. No unusual impact to public health, safety, or welfare is anticipated.
2. All required dedication of public rights-of-way and public improvements have been provided for.
3. The parcel map shall consist of four (4) lots/units or less, unless found to be exempt.
4. The requested waiver will be consistent with the Local Coastal Plan (LCP), because it considers projected sea level rise and potential storm flooding for the life on the project based on available FEMA information.

5. If a tentative map is for condominium conversion, all requirements as specified in the condominium conversion regulations shall be complied with in full.

C. Site Plan. When a parcel map is waived, the applicant shall submit a site plan with the Department of Public Works and shall meet all criteria established by the Director of Public Works. A record of survey is not required as a condition of approval. The site plan may trigger a record of survey in accordance with California Business and Professions Code section 8762.

The site plan shall be consistent with the current California Building Code Section 107.2.5 stating a site plan shall have an accurate boundary.

D. Certificate of Compliance. When a parcel map is waived, a certificate of compliance shall be filed for recording with the County Recorder when the site plan is approved by the Director of Public Works and when there is compliance with all requirements.

E. Extension of Time to File Parcel Map Waiver. Under some circumstances, a subdivider may need additional time to process a request to waive a tentative parcel map. The following process is established to handle these requests:

1. Application for a time extension shall be made in writing to the Community Development Department prior to the expiration date of the tentative map.

2. The time extension shall be approved if the Community Development Director or the Zoning Administrator makes any of the following findings:

a. The subdivider has made reasonable progress toward satisfying project conditions; and

b. Extenuating circumstances require additional time for the subdivider to respond to satisfying project conditions.

3. Time extension requests shall be limited to one-year increments.

20.12.150 – Tentative map withdrawal.

Any subdivider or record owner of property may withdraw a tentative map at any time. Notice of withdrawal shall be given to the Community Development Director or the Zoning Administrator in writing. Upon receipt of such notice, the tentative map shall be officially withdrawn. Upon withdrawal, a record of survey shall be required and monuments set to replace those destroyed, damaged or missing.

20.12.160 – Tentative map revisions—Prior to approval.

After a tentative map has been deemed complete, no revisions shall be permitted, unless the subdivider agrees to extend the time to a date acceptable to the Planning Commission or the Zoning Administrator, within which action must be taken on the map, provided that the extension not exceed fifty (50) days after receipt of the revision.

20.12.170 – Tentative map revisions—After approval.

A. After approval of a tentative map, any revised map shall comply with all regulations in effect at the time such revised map is filed.

B. When a tentative map has been approved, no other subdivider shall file a different tentative map for the same parcel of land without the express written consent of the current property owner of record and/or the original subdivider unless the previous tentative map has expired.

C. The approval or conditional approval of any revised tentative map shall supersede and nullify all previously approved tentative maps that pertain to the same parcel of land.

D. After approval or conditional approval of a tentative map and prior to the recordation of the final map, any correction or amendment shall be processed as follows:

1. Minor corrections may be approved by the Community Development Director or designee under the following circumstances:

   a. No additional lots or units are created.
   b. The changes are in substantial conformance with the original tentative map approval.
   c. The proposed changes are consistent with this title, the zoning ordinance, applicable building codes, the General Plan, and the Subdivision Map Act.

2. Corrections or changes that are not deemed by the Community Development Director or designee to be minor shall be reviewed by either the Zoning Administrator for parcel maps, or the Planning Commission for tentative subdivision maps. The subdivider shall provide the appropriate modification application, materials, and applicable fees. The Zoning Administrator or the Planning Commission may grant a modification to the requirements and conditions if findings are made to document consistency with the original approval.

3. Any revisions approved through the prescribed processes identified in paragraphs 1 and 2 above shall not affect the time limit for recording a final map or a parcel map as prescribed by the Subdivision Map Act or these regulations.

20.12.180 – Tentative map expiration.

A. An approved or conditionally approved tentative map shall expire thirty-six (36) months after its approval, except when a time extension has been granted by the Community Development Director or designee or meets the terms allowed by 66452.6.

B. Failure to record a final map before a tentative map expires shall terminate all proceedings. Once a tentative map has expired, no further subdivision action shall take place until a new tentative map is filed. Upon withdrawal, a record of survey shall be required and monuments set to replace those destroyed, damaged or missing.

C. Any tentative map approved between January 1, 2018, and the effective date of this ordinance shall be effective for a period of forty-eight (48) months from the date of approval issuance. As appropriate and to increase processing efficiency, any Site Plan Review, Variance, or other related planning entitlement expiration dates related to the same project as the tentative map request should be extended to coincide with the tentative map expiration date.

20.12.190 – Time extensions.

A. Application for a time extension shall be made in writing to the Community Development Department prior to the expiration date of the tentative map.

B. The time extension shall be approved if the Community Development Director or the Zoning Administrator makes any of the following findings:

1. The subdivider has made reasonable progress toward satisfying project conditions;
2. Extenuating circumstances as documented in the map extension request have delayed filing of the final map; and
3. The tentative map remains consistent with the zoning and goals of the general plan.

C. Time extension requests shall be limited to year increments and can be customized for a period exceeding one year if the maximum extension period identified in Section D below is not exceeded.

D. Consistent with Subdivision Map Act Sections 66452.6 (e) and 66463.5(c), the maximum time of all extensions granted shall be 72 months (six years).

CHAPTER 20.14 – VESTING TENTATIVE MAPS

20.14.010 – Applicability.

Any tentative map, whether a parcel or a tract map, may be a vesting map.

20.14.020 – Filing and processing.

The tentative maps must have the term "vesting" clearly stated on the map. All other procedures applicable to other tentative maps in Chapter 20.12 shall apply.

20.14.030 – Development rights.

A. The approval or conditional approval of a vesting subdivision map shall confer a right to proceed with the development in substantial compliance with the approved tentative map.

B. The rights conferred by the vesting tentative map shall expire if a final map is not approved prior to the expiration of the vesting tentative map. Submittal of a grading or building permit for the project associated with the vesting tentative map will keep the map active until the final map is approved and recorded. Regular inspections consistent with the requirements of the grading or building permit will need to occur to keep the vesting tentative map active.

C. An approved vesting tentative map shall not limit the City from imposing reasonable conditions on subsequent required approvals or permits necessary for the development and authorized by applicable ordinances, policies, and standards in effect at the time that the tentative map application was deemed complete.

20.14.040 – Vesting Tentative Map expiration.

The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions established by the subdivision regulations in Section 20.12.190 for the expiration of the approval or conditional approval of a tentative map.

CHAPTER 20.16 – FINAL MAPS[4]

Footnotes:

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State Law reference— Provisions on final maps, Gov. Code § 66433 et seq.

20.16.010 – Required when.

A final/tract map shall be required for all subdivisions for which a tentative tract map is required. A (final) parcel map shall be required for all subdivisions for which a (tentative) parcel map is required unless waived as provided in these regulations.

20.16.020 – Content and form.

The content and form of each final tract map or final parcel map shall be prepared in accordance with the Subdivision Map Act, these regulations, and criteria established by the Community Development Director and the Public Works Director.

20.16.030 – Filing.

A. The subdivider shall file a final/tract map or a parcel map with the Department of Public Works along with all other required documents.

B. No final/tract map or parcel map shall be accepted if the tentative map has expired.

C. Should the map or other accompanying documents, fees, or materials be found to be incomplete or incorrect in any respect, the subdivider shall be informed of the corrections, changes, or additions that must be made.

20.16.040 – Fee.

A. Upon submission of a final tract map or final parcel map for processing, the subdivider shall pay to the City a processing fee in an amount prescribed by a City Council resolution.

B. If a final tract map or final parcel map is submitted to the County Engineer for checking under an agreement for examination of tract maps and parcel maps, the subdivider shall pay a map checking fee to the County Engineer in addition to all other fees and charges required by law. This fee shall be equal to the fee established by the County of Los Angeles for checking tract and parcel maps. If a final tract map or final parcel map is submitted to a professional consultant for checking under an agreement for examination of tract maps and parcel maps with the City, the subdivider shall pay a map checking fee to the City to cover fees for the professional consultant in addition to all other fees and charges required by law.

20.16.050 – Certifications.

A. No final tract map or final parcel map shall be certified by the departments or agencies unless all conditions and requirements as prescribed by the Planning Commission or the Zoning Administrator or the Designated City Surveyor have been met.

B. The required certificates and acknowledgements or appropriate combinations thereof shall appear on the title sheet in accordance with Sections 66436 or 66445 of the Government Code (Subdivision Map Act) and shall also contain, as applicable:

1. The Community Development Director's certificate: The Community Development Director shall certify that the final map is consistent with the tentative map, with the

General Plan of the City, with the California Environmental Quality Act, and with other special requirements imposed by the City.

2. The Director of Public Works' certificate: The Director of Public Works shall certify that the map conforms with the requirements of the Subdivision Map Act and local ordinance.
3. The City Treasurer's and Director of Public Work's certificate: The City Treasurer and the Director of Public Works shall certify that there are no unpaid special assessments.
4. The Designated City Surveyor's certificate: The Designated City Surveyor shall certify that the subdivision as shown is substantially as it appeared on the tentative map, and that any applicable local ordinances at the time of tentative map approval have been complied with.
5. All other affidavits, certificates, acknowledgements, endorsements, and notarial seals as required by the Subdivision Map Act and these regulations.

20.16.060 – Parcel map—Approval.

After parcel map is filed, the Designated City Surveyor shall perform a field inspection of all monuments found and set on the map. Monuments shall be set at the time of filing. The monuments shall occupy or be reset at each corner upon completion of the project.

The Director of Public Works shall consider and approve the map when all requirements of the map have been satisfied and adequate security provisions have been made to guarantee compliance with those requirements. The Director of Public Works shall also accept or reject, on behalf of the public, any real property offered for dedication for public use.

20.16.070 – Final/tract map—Approval.

After final/tract map is filed, the Designated City Surveyor, perform a field inspection of all monuments found and set on the map. Monuments shall be set at the time of filing. At no time shall monuments be deferred until the final improvements have been accepted for the subdivision. The monuments shall occupy or be reset at each corner upon completion of the project.

The Director of Public Works and Designated City Surveyor shall review the final tract map to confirm it complies with the requirements of the Subdivision Map Act and local ordinance and there are no unpaid special assessments. Once compliance is confirmed, the Director of Public Works shall transmit the map to the City Council. Within thirty (30) days after filing or at its next regular meeting after the meeting at which it receives the map, whichever is later, the Council shall consider and approve the map if it finds that all requirements of the map have been satisfied and adequate financial security provisions have been made to guarantee compliance with those requirements.

20.16.080 – The City Clerk's certificate.

The City Clerk shall certify approval of Council and the action of Council upon any offer of dedication.

20.16.090 – Recording.

Following approval of the final tract or parcel map, the Director of Public Works shall send the map to the County Engineer for recordation by the County Recorder.

20.16.100 – Amendments permissible with certificate of correction or certificate of compliance.

After a final/tract map or parcel map is filed in the office of the County Recorder, such a recorded final map may be modified for the purposes of correcting an error or omission shown on the recorded map, or dissolving a recorded condominium map.

A. To Correct an Error or Omission. A final map may be amended by recording a certificate of correction or an amending map to correct an error or omission in accordance with the State Subdivision Map Act. These errors or omissions may include lot numbers, acreage, street names, identification of adjacent record maps, reference of previous survey information, the description of the real property, or the location or character of any monument.

   An amending map or certificate of correction shall be prepared and signed by a registered civil engineer or a licensed land surveyor and shall be approved by the Community Development Director and the City Engineer.

The amended map cannot alter lines of title. In the event a title line is incorrectly established the subdivider will be required to file a subdivision map. The approved existing, unexpired, tentative map and conditions of approval may be applied to the new map.

B. To Dissolve a Previously Recorded Condominium Map. A final map may be amended by recording a certificate of compliance to dissolve a previously recorded condominium map if the current property owner(s) finds that there is no need to maintain the subject property for a condominium purpose; instead, the owner(s) wishes to retain the property as a single ownership.

A revision of acreage subdivision map may be required according to the Subdivision Map Act.

To request such an amendment, the applicant shall submit an application to the Community Development Department with the following information:

1. A current title report providing the legal description of the properties included in the application; and
2. Signatures of the present fee owner(s) of the property.

Upon receiving a complete application, the requested amendment will be scheduled for a Zoning Administrator public hearing. At the scheduled hearing, the Zoning Administrator shall act to approve or disapprove the requested amendment. After the requested amendment is approved, the City will record a certificate of compliance indicating that the previously recorded condominium is officially dissolved.

CHAPTER 20.18 – Urban Lot Split (Parcel Map)

20.18.010 - Purpose and intent.

A. The purpose of this chapter is to implement California Government Code Section 66411.7 to provide an owner of a parcel zoned entirely for single-family residential use an additional method to subdivide the parcel through an urban lot split parcel map for the purpose of housing development;

B. An urban lot split parcel map is defined as the subdivision of an existing legal lot zoned R-1 (Single-Family District) under Chapter 21.31 of the Zoning Regulations to create no more than two (2) new parcels in accordance with the requirements in this chapter;

C. Urban lot split shall be used synonymously with a parcel map. A record data parcel map is prohibited. The parcel map shall be based on a field survey;

D. With respect to a division of land into four or fewer parcels, where dedications or offers of dedications are not required, the statement shall be signed and acknowledged by the subdivider only. If the subdivider does not have a record title ownership interest in the property to be divided, the local agency may require that the subdivider provide the local agency with satisfactory evidence that the persons with record title ownership have consented to the proposed division. For purposes of this paragraph, "record title ownership" means fee title of record unless a leasehold interest is to be divided, in which case "record title ownership" means ownership of record of the leasehold interest. Record title ownership does not include ownership of mineral rights or other subsurface interests that have been severed from ownership of the surface.

E. The provisions of this Chapter shall be the primary regulations for the subdivisions of land for and development of two (2) unit residential developments under Cal. Gov't Code Sections 66411.7 and 65852.21. To the extent that an aspect of the subdivision of land for or development of two (2) unit residential developments under Sections 66411.7 and 65852.21 is not addressed by this Chapter, the provisions of the subdivision code and applicable Zoning Regulations shall apply, except where this would conflict with Sections 66411.7 and 65852.21;

F. In the event of a conflict between this Chapter and another provision of the Long Beach Municipal Code, as it applies to the subdivision of land for or development of two (2) unit residential developments under Cal. Gov't Code Sections 66411.7 and 65852.21, this Chapter shall prevail; and

G. No exceptions to the standards in this section shall be requested or granted, except as allowed per Long Beach Municipal Code Section 20.08.020.

20.18.020 - Urban lot split application and procedures.

A. An application for an urban lot split shall be filed by the property owner or an agent of the property owner with the Planning Bureau on the city's approved form, subject to a fee in an amount established by City Council resolution. An application shall be completed to the satisfaction of the Planning Bureau to be considered. The city will inform the applicant in writing of any incompleteness within thirty (30) days after an application is submitted;

B. An application shall include an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three (3) years from the date of the approval of the urban lot split. An affidavit shall not be required of an applicant that is either a

"community land trust" (as defined by Rev. & Tax Code§ 4 02.1 (a)(11)(C)(ii)) or a "qualified nonprofit corporation" (as defined by Rev. & Tax Code § 214.15);

C. An application for an urban lot split shall meet the requirements set forth in this Chapter;

D. The City shall act upon an application for an urban lot split without a discretionary review, public hearing, or Site Plan Review Committee Review, within fifty (50) calendar days after a complete application for an urban lot split is filed. The time limit specified in this chapter may be extended by mutual consent of the applicant and the City;

E. The Zoning Administrator shall ministerially approve or deny the application for an urban lot split. The decision shall be final, and the Zoning Administrator shall state in written findings the reasons for approval or denial.

20.18.030 – Review by other City departments and agencies.

A. The Planning Bureau shall transmit copies of the urban lot split and other required information to each of the following: Department of Public Works, Building & Safety Bureau, Fire Department, Energy Resources Department, Water Department, any other concerned utilities, and to such other agencies that it determines may be affected or may have an interest in the proposed subdivision;

B. These departments or agencies shall submit their written reports, corrections, and recommendations within the time specified by the Planning Bureau. Such time limit shall not be more than fifteen (15) working days from the date of the transmittal letter.

20.18.040 – Concurrent processing with other ministerial permits.

A. No development, including but not limited to grading or vegetation removal, shall commence on any lot, prior to, concurrent, or subsequent to an urban lot split, unless a valid building permit has been issued for the construction of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit;

B. A building permit shall not be issued for development on a parcel where an urban lot split is proposed, until the urban lot split is accepted and the map is recorded by the County of Los Angeles, unless the proposed project would conform to the Subdivision Ordinance and the City's policies and ordinances implementing Cal. Gov't Code Sections 65852.2, 65852.21, and 65852.22 without recordation of the urban lot split.

20.18.050 – Preparation.

A. An urban lot split shall be prepared by a qualified California registered civil engineer or a California licensed surveyor in accordance with the Subdivision Regulations and the Subdivision Map Act. Civil engineers with licenses prior to January 1, 1982 (with a license number before 33966) are authorized to practice all land surveying and engineering surveying.

20.18.060- Coastal zone.

A. An application for an urban lot split in the coastal zone shall be processed in conformance with Section 21.25.902 of the Long Beach Municipal Code, subject to separate fees established by City Council resolution;

B. The proposed subdivision shall be consistent with the policies of the City's certified Local Coastal Program and the Coastal Act;

C. A parcel map shall not be submitted for processing or approval from the Department of Public Works until procedures outlined in Division IX of Chapter 21.25 of the Long Beach Municipal Code has been completed.

20.18.070 – Urban lot split development standards.

The proposed subdivision shall conform to the following standards:

A. An urban lot split shall be prepared in accordance with requirements set forth in Section 20.12.030 of the Subdivision Regulations, Cal. Gov't Code Sections 66410 et. Seq., 66444– 66450 and the applicable sections of this Chapter;

B. An urban lot split shall not be approved except in conjunction with a concurrently submitted application for building permits for a two (2) unit residential development pursuant to Cal. Gov't Code Section 65852.21 and subject to the provisions of Chapter 21.31 and Section 20.18.040 as applicable;

C. Development on the resulting parcels shall be limited to the residential development approved in the concurrently submitted building permit applications;

D. The parcel shall be located entirely within a Single-Family (R-1) Zoning District;

E. The site shall not be located within a City Historic District, on a designated Historic Landmark property, or included on the State Historic Resources Inventory;

F. The urban lot split will subdivide an existing parcel to create no more than two (2) new parcels;

G. The parcel proposed for subdivision shall not result in more than two (2) dwelling units of any type per parcel involved in an urban lot split, including principal dwelling units, ADUs and JADUs, and residential development permitted by Cal. Gov't Code Section 65852.21;

H. One (1) principal unit is required per parcel;

I. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner shall have previously subdivided an adjacent parcel under the provisions of this Chapter or Cal. Gov't Code Section 66411.7. Adjacent means situated near or close by. Adjacent includes real property across alleys, streets, public waterways or other public property;

J. The parcel proposed for subdivision shall not have been established through a prior exercise of an urban lot split as provided for by this Chapter or Cal. Gov't Code section 66411.7;

K. The land uses proposed for the parcels created by the urban lot split shall be residential uses only (no mixed-use or commercial or other non-residential uses);

L. Rental terms of any unit created by the subdivision shall not be less than thirty (30) consecutive days, nor shall rental terms allow termination of the tenancy prior to the expiration of at least one (1) thirty (30) day period occupancy by the same tenant;

M. If the parcel is within the Coastal Zone, the appropriate Coastal approval shall be obtained as required by Section 20.18.060, Division IX of Chapter 21.25, and the Coastal Act prior to approval and recordation of the final parcel map;

N. The owner shall not have withdrawn rent or price-controlled accommodations from rent or lease on this parcel within fifteen (15) years prior to the date of application for the proposed project;

O. The proposed housing development shall not require the demolition or alteration (defined as demolition or alteration of more than 25% of the existing exterior walls) of any of the following types of housing:

1. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
2. Housing that is subject to any form of public agency rent or price control.
3. Housing that has been occupied by a tenant in the last three years.

20.18.080 – Disapproval of an urban lot split.

A proposed urban lot split subdivision shall not be approved if any of the following apply:

A. The site is located within wetlands, as defined in US Fish and Wildlife Service Manual, Part 660, PW 2 (June 21, 1993);

B. The site is located on a hazardous waste site that is listed per Cal. Gov't Code section 65962.5 or designated by Cal. Health & Safety Code section 25356;

C. The site is located within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law;

D. Based on a preponderance of the evidence, the building official finds that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Cal. Gov't Code Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact;

E. The site is located within a special flood hazard area for the 100-year flood (any Zone A or Zone V), unless one of the two below conditions is satisfied:

1. The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or;
2. The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

F. The site is located within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations;

G. The site is located on lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan;

H. The site is located within habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code);

I. The site is located on lands under conservation easement;

J. The proposed housing development would result in fewer dwelling units than would otherwise be allowed on the site by the General Plan Land Use Element, in accordance with the State's No Net Loss requirements.

20.18.090 – Urban lot split form, contents and accompanying data.

An urban lot split shall be prepared in accordance with requirements set forth in Chapter 20.12 of the Long Beach Municipal Code, Cal. Gov't Code Sections 66410 et. Seq., 66444– 66450, and this Chapter. The map shall contain the following supplemental information to establish compliance with the construction plans and all provisions of this Code and applicable State law:

A. Preliminary title report of the property and shall be no more than ninety (90) days old from the time of application submittal;

B. The size of each sheet shall be 18 by 26 inches or 460 by 660 millimeters. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch or 025 millimeters. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end. The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets, and its relation to each adjoining sheet shall be clearly shown:

    1. The County subdivision map number. Such number must be obtained from the Los Angeles County Engineer.

    2. The boundaries of the subdivision, defined by legal description, with sufficient information to locate the property and to determine its position with respect to adjacent named or numbered subdivisions, if any. The boundary shall be based upon a field survey. Record data parcel maps are prohibited.

    3. Total area (in acreage and square feet) of each proposed lot.

    4. The directions of flow of all watercourses and flood-hazard control areas within and adjacent to the property involved per Federal Emergency Management Agency (FEMA) Flood Insurance Rate (FIRM) maps, and the proposed method of providing storm water, drainage, and erosion control.

    5. A mapping of the flood zones from the current FEMA for tidal and fluvial flooding including the following:

        a. Projected sea level rise and storm flooding for the life of the project based upon the most current science-based projection of sea level rise including a one hundred (100) year storm and wave run up.

        b. Projected coastal erosion based upon a detailed assessment of site geology, sea level rise, and waves.

c. Projections of flooding shall be based on site and/or near shore bathymetry.

6. The location and extent of any known jurisdictional wetland areas or other sensitive habitat areas such as rare and endangered plant species or riparian vegetation;
7. The location of the site's scenic landscape features and scenic corridors, shorelines, ridgelines, and skylines, as defined in the City's General Plan, Local Coastal Program, and State law, and an assessment of the visibility of any future development from or within scenic corridors;
8. Legal description of the parcel;
9. Lot width of each proposed lot;
10. Public right-of-way frontage of each proposed lot;
11. Curve radii as applicable;
12. Location and dimensions of existing established and proposed property lines. The existing property lines shall be based upon found monuments;
13. Zoning District;
14. General Plan Land Use Placetype;
15. The location and use of all existing and proposed structures;
16. The Basis of Bearings shall be based on the California Coordinate System. Mapping shall comply with the California Public Resource Code;
17. All required zoning setbacks for the existing and proposed lots;
18. The location of all existing water, sewer, electricity, storm drain, or gas service lines, pipes, systems, or easements;
19. The location of all proposed new water, gas, sewer, storm drain, lines, pipes, or systems;
20. The location of any proposed and/or existing easement, including but not limited to, access or public utilities to serve a lot created by the subdivision;
21. The location and species name of any existing trees larger than four inches in diameter measured four feet six inches above the base and any such trees proposed for removal;
22. Existing and proposed topographic information shall be provided and shall be tied to the City's datum. Contour lines shall have the following intervals:
    a. Two (2) foot contour interval for ground slope between ground level and ten (10) percent; and
    b. Five (5) foot contour interval for ground slope exceeding ten (10) percent.
23. Name and dimensions, including right-of-way and improved area, of public and private streets or public alleys and private alleys adjoining the parcel;
24. Curb, gutter, sidewalk, parkway, and street trees: type, location, and dimensions;
25. Location of existing or proposed driveway dimensions, materials, and slope (including cross slope);
26. Location of existing or proposed vehicular access to the public right of way;

27. Location of existing or proposed pedestrian pathway access to the public right of way; and
28. If in the Coastal Zone, location of environmentally sensitive areas, coastal waterways, public parkland, or a coastal bluff edge under penalty of perjury under the laws of California, that:

    a. The urban lot split shall contain a declaration that:

        i. Each lot created by the urban lot split shall be used solely for residential dwellings;

        ii. That no more than two residential dwelling units may be permitted on each lot. As used in this Subsection residential dwelling unit includes a unit created pursuant to Cal. Gov't Code Section 65852.21, a primary dwelling unit, an accessory dwelling unit as defined in Cal. Gov't Code Section 65852.2, or a junior accessory dwelling unit as defined in Cal. Gov't Code Section 65852.22.

        iii. That rental of any dwelling unit on a lot created by the urban lot split shall not be less than 30 consecutive days, nor shall rental terms allow termination of the tenancy prior to the expiration of at least one 30-day period occupancy by the same tenant.

20.18.100 – Map requirements.

The proposed subdivision shall conform to the following requirements:

A. The two (2) new parcels shall be of approximately equal lot area;

B. One (1) parcel shall not be smaller than forty (40) percent of the lot area of the original parcel;

C. Both newly created parcels shall be no smaller than 1,200 square-feet each;

D. All easements required for the provision of public services and facilities shall be provided to the satisfaction of the Director of Public Works;

E. Each parcel shall be served by a separate water service meter, a separate sewer connection, and gas connection if required;

F. Each parcel shall drain to the street or to a developed drainage easement;

G. Both newly created parcels shall conform to the minimum lot width requirements in Chapter 21.31 and Chapter 20.08 of the Long Beach Municipal Code. Lot width exceptions shall meet the requirements set forth in Section 20.08.020;

H. Lot width means the horizontal distance between the midpoints of the side lot lines, measured at right angles to the line measuring lot depth;

I. Each of the proposed parcels shall have public right-of-way frontage (public street or alley) abutting the original parcel;

J. A flag lot, or a lot with a narrow projecting strip of land extending to or along a public right-of-way frontage, shall not be permitted;

K. Lot depth shall be measured at average distance between the front and rear lot line of the newly created lot;

L. Only within the Coastal Zone, rights-of-way as required for access along all natural and man-made watercourses and bodies of water that includes the beach, bay, and tidelands as necessary for flood control, maintenance, and improvement shall be dedicated to the satisfaction of the Director of Public Works;

M. New lot lines shall be straight lines, unless there is a conflict with existing improvements or the natural environment in which case the line may be not be straight but shall follow the appropriate natural course;

N. Interior lot lines not facing the street shall be at right angles perpendicular to the street on straight streets, or radial to the street on curved streets;

O. Lot lines shall be contiguous with existing zoning boundaries;

P. The placement of lot lines shall not result in an accessory building or accessory use on a lot without a main building or primary use on the same lot, as defined in the Zoning Ordinance;

Q. Lot lines shall not render an existing structure as nonconforming in any respect (e.g. setbacks, open yard, Floor Area Ratio, parking), nor increase the nonconformity of an existing nonconforming structure.

20.18.120– Expiration.

A. An approved urban lot split shall expire thirty-six (36) months after its approval, except when a time extension has been granted by the Zoning Administrator or meets the terms allowed by Cal. Gov't Code Section 66452.6.

20.18.130 – Revisions and amendments of an urban lot split.

A. Where an applicant desires to revise or amend an approved urban lot split map, the applicant may file a revised urban lot split map, prior to the expiration of the approved urban lot split map. A revised urban lot split map shall be subject to additional fees in an amount established by City Council resolution;

B. Revisions and amendments to the urban lot split map shall be made pursuant to Section 66469 et seq. of the Subdivision Map Act;

C. Failure to record a final map before the urban lot split expires shall cause the urban lot split parcel map approval to become null and void with no further action required on the part of the City. Any pending building permit application that proposes more than two (2) principal structures on the original parcel shall become null and void with no further action required on the part of the City, unless the applicant revises the permit application to comply with the Zoning Regulations and the requirements in Cal. Gov't Code Sections 66444– 66450;

D. Once an urban lot split has expired, no further subdivision action shall take place until a new tentative map is approved.

20.18.140 – County recording.

A. The applicant shall apply for a parcel map with the Department of Public Works prior to approval and recordation of the urban lot split;

B. Prior to the approval and recordation of the parcel map, the applicant shall record a restrictive covenant on each property title in the form prescribed by the City of Long Beach City Attorney which shall run with the land and provide the following:

1. A prohibition against further subdivision of the parcel using the urban lot split procedures as provided for in this Chapter; and
2. A prohibition on the conversion of nonresidential uses of any units developed or constructed on either resulting parcel, and a prohibition against renting or leasing the units for fewer than thirty (30) consecutive calendar days.

C. The urban lot split shall be subject to the map provisions in Chapter 20.16.

D. An urban lot split in the Coastal Zone shall complete the requirements set forth in Section 20.18.060.

E. Upon the approval of the parcel map, the applicant or the property owner shall submit the map to the County Recorder for recordation. The map shall be accepted and recorded by the County prior to issuance of any building permits by the City, except as otherwise provided by this Chapter.

20.18.160 – Urban lot split withdrawal.

Any applicant with the owner's consent or record owner of the subject property may withdraw an urban lot split parcel map at any time prior to the recordation of the urban lot split. Notice of withdrawal shall be provided to the Zoning Administrator in writing. Upon receipt of such notice, the urban lot split shall be considered officially withdrawn, with no further action required on the part of the City. Any building permit application that proposes more than two (2) principal structures on the original parcel shall be null and void with no further action on the part of the City, or such permit(s) may be revised by the applicant to comply with the Zoning Regulations and requirements in Cal. Gov't Code Sections 66444– 66450.

CHAPTER 20.20 – LOT LINE ADJUSTMENT

20.20.001 – Purpose.

Lot line adjustments between four or fewer adjacent legal lots is a streamlined map process that can be used for a variety of purposes, including:

A. Meeting, or more closely meeting, the minimum lot size and area requirements of the zone where the property is located.

B. Complying with required building setbacks.

C. Eliminating an existing encroachment.

D. Addressing compliance with the Building Code.

E. Better conformance with site features and topography.

In accordance with Section 20.04.140 B., lot line adjustments between five or more existing adjoining lots require a tentative and final/tract map, unless they meet noted exceptions where a parcel map could be processed. A tentative parcel map may be waived.

20.20.005 – Preparation.

A lot line adjustment shall be prepared by a qualified California civil engineer or a California licensed surveyor in accordance with these regulations. Civil engineers with licenses prior to January 1, 1982 (with a license number before 33966) are authorized to practice all land surveying and engineering surveying.

20.20.010 – Standards generally.

The procedures for a lot line adjustment shall apply to the adjustment of property boundaries between four (4) or fewer existing legal adjoining lots recorded with the County Recorder's office in conformance with the Subdivision Map Act where land taken from one (1) lot is added to an adjacent lot and where a greater number of lots than originally recorded is not thereby created. A record of survey may be required pursuant to California Business and Professions Code section 8762.

Multiple lot line adjustments submitted concurrently or sequentially as defined in Section 20.36.243, when five or more parcels exist, circumventing the Subdivision Map Act will not be allowed. A subdivision map will be required in these instances. A lot line adjustment is at the discretion of the Community Development Department Planning Bureau.

20.20.020 – Application.

The applicant shall submit an application to the Community Development Department Planning Bureau. Typical information and exhibits that accompany an application are listed below. The Director of Community Development may require additional information or documentation based on the unique circumstances at the site to process the lot line adjustment.

A. One copy of a preliminary title report providing the legal description of the properties included in the application dated not more than three (3) months prior to submittal of the application;

B. Signatures of all record owners included in the application; and

C. Site plan or map legibly drawn to a scale of sufficient size to show full detail, including the following information:

1. North arrow, scale, legend, adjacent streets, dimensions, and field established boundaries of the lots or parcels included in the application before and after adjustment. The monuments relied upon for the establishment of the boundaries shall be shown on the site plan.
2. Distinct line type indicating the property line(s) to be adjusted and keyed to a legend.
3. Location of existing and proposed buildings and distance(s) between these buildings and proposed property lines, as well as the outline of all structures outside the adjustment area within 10 feet of the boundary lines. The existing structures must show accurate ties, displayed/labeled to one hundredth of a foot, to the existing and proposed boundary lines. The site plan shall be consistent with the current California Building Code Section 107.2.5 stating a site plan shall have an accurate boundary.
4. The lot areas of existing parcels, as well as the lot areas of proposed parcels as adjusted.
5. Name and address of qualified California civil engineer or a California licensed surveyor who prepared the map and the applicable license or registration number.
6. Topographic information with a reference to the source of the information.
7. The locations, widths, and purposes of all existing and proposed easements for utilities, drainage and other public purposes, shown by dashed lines, within and adjacent to the subdivision; all existing and proposed utilities including size of gas and water lines and the size and grade of sewer lines, location of manholes, valve lids, fire hydrants, street trees, and streetlights.
8. The new boundary lines must be monumented and a record of survey filed with the County of Los Angeles. A preliminary record of survey shall be submitted to the Designated City Surveyor.

20.20.030 – Community Development Director or Zoning Administrator action.

The Community Development Director or stipulated designee shall act to approve or disapprove the lot line adjustment and shall limit review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances. The Director shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment. A local agency shall approve or disapprove a lot line adjustment pursuant to the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920) of Division 1).

20.20.040 – Required findings.

The Community Development Director or stipulated designee shall approve a lot line adjustment if all the following findings can be made:

A. The modification between lots does not result in a greater number of lots than currently legally exists.

B. The modified lots do not create inconsistencies with the Zoning regulations, the Building Code, and the General Plan.

C. That the design of the lot line adjustment or the type of improvements is consistent with the Local Coastal Plan (LCP) as it considers projected sea level rise, slope stability, hazards and potential storm flooding for the life on the project based on available FEMA information.

D. Individual water and service laterals, sewer connections in accordance with the LBWS Rules and Regulations, gas, and other utilities are available to each adjusted lot, or necessary easements are provided to the satisfaction of the Director of Public Works.

D. All drainage across the adjusted lot line shall be eliminated or necessary easements are provided to the satisfaction of the Director of Public Works.

E. Multiple lot line adjustments submitted concurrently or sequentially, when five or more parcels exist, circumventing the Subdivision Map Act will not be allowed. A subdivision map will be required in these instances.

20.20.050 – Expiration.

A. An approved lot line adjustment shall expire thirty-six (36) months after its approval if it has not been recorded, except when a time extension has been granted by the Community Development Director or the Zoning Administrator.

B. Any lot line adjustment approved between January 1, 2018, and the effective date of Ordinance 20-0023 shall be effective for a period of forty-eight (48) months from the date of issuance.

20.20.060 – Final site plan.

After approval by the Zoning Administrator, the applicant shall file a site plan with the Department of Public Works based upon criteria established by the Director of Public Works. The site plan shall be consistent with the current California Building Code Section 107.2.5 stating a site plan shall have an accurate boundary.

20.20.070 – Recording of a deed to reflect modified lot lines.

The lot line adjustment shall be reflected in a deed, including modified deeds of trusts, which shall be recorded. The lot line adjustment does not take effect until the deeds have been recorded. The failure to file the deeds within the designated approval period shall render the lot line adjustment null and void.

CHAPTER 20.22 – VOLUNTARY LOT MERGERS

20.22.010 – Purpose.

Voluntary lot mergers also known as lot combinations involve the elimination of lot lines through the combination of two or more contiguous lots into a single parcel. They are typically pursued with development projects to comply with Zoning and Building Codes with the creation of new buildings that cross existing lot lines.

20.22.015 – Preparation.

A lot merger shall be prepared by a qualified California civil engineer or a California licensed surveyor in accordance with these regulations. Civil engineers with licenses prior to January 1, 1982 (with a license number before 33966) are authorized to practice all land surveying and engineering surveying.

20.22.020 – Mergers not automatic with single ownership.

Two (2) or more contiguous parcels or units of land which have been created under the provisions of the Subdivision Map Act or any prior law regulating the division of land, or these regulations enacted pursuant thereto, shall not merge by virtue of the fact that such contiguous parcels for units are held by the same owner; and no further proceeding under the provisions of the Subdivision Map Act or these regulations shall be required for the purpose of sale, lease, or financing of such contiguous parcels or units or any of them, except as specified in this Chapter.

On and after January 1, 1984, parcels may be merged only in accordance with the authority and procedures prescribed in this ordinance. This exclusive authority does not, however, abrogate or limit the authority of a local agency or a subdivider with respect to the following procedures:

1. Lot line adjustments.
2. Amendment or correction of a final or parcel map.
3. Reversions to acreage.
4. Exclusions.
5. Tentative, parcel, or final maps which create fewer parcels.

The City may require merger of a parcel or unit with a contiguous parcel or unit held by the same owner, if any one of the contiguous parcels or units held by the same owner does not conform to standards for minimum parcel size, under the zoning ordinance to the parcels or units of land, and if all of the following requirements are satisfied:

A. At least one of the affected parcels is undeveloped by any structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is developed only with an accessory structure or accessory structures, or is developed with a single structure, other than an accessory structure, that is also partially sited on a contiguous parcel or unit.

B. With respect to any affected parcel, one or more of the following conditions exists:

    1. Comprises less than 5,000 square feet in area at the time of the determination of merger.

    2. Was not created in compliance with applicable laws and ordinances in effect at the time of its creation.

    3. Does not meet current standards for sewage disposal and domestic water supply.

4. Does not meet slope stability standards.
5. Has no legal access which is adequate for vehicular and safety equipment access and maneuverability.
6. Its development would create health or safety hazards.
7. Is inconsistent with the applicable general plan and any applicable specific plan, other than minimum lot size or density standards.

C. This subdivision shall not apply if one of the following conditions exists:

1. On or before July 1, 1981, one or more of the contiguous parcels or units of land is enforceably restricted open-space land pursuant to a contract, agreement, scenic restriction, or open-space easement, as defined and set forth in Section 421 of the Revenue and Taxation Code.
2. On July 1, 1981, one or more of the contiguous parcels or units of land is timberland as defined in subdivision (f) of Section 51104, or is land devoted to an agricultural use as defined in subdivision (b) of Section 51201.
3. On July 1, 1981, one or more of the contiguous parcels or units of land is located within 2,000 feet of the site on which an existing commercial mineral resource extraction use is being made, whether or not the extraction is being made pursuant to a use permit issued by the local agency.
4. On July 1, 1981, one or more of the contiguous parcels or units of land is located within 2,000 feet of a future commercial mineral extraction site as shown on a plan for which a use permit or other permit authorizing commercial mineral resource extraction has been issued by the local agency.
5. Within the coastal zone, as defined in Section 30103 of the Public Resources Code, one or more of the contiguous parcels or units of land has, prior to July 1, 1981, been identified or designated as being of insufficient size to support residential development and where the identification or designation has either (i) been included in the land use plan portion of a local coastal program prepared and adopted pursuant to the California Coastal Act of 1976 (Division 20 of the Public Resources Code), or (ii) prior to the adoption of a land use plan, been made by formal action of the California Coastal Commission pursuant to the provisions of the California Coastal Act of 1976 in a coastal development permit decision or in an approved land use plan work program or an approved issue identification on which the preparation of a land use plan pursuant to the provisions of the California Coastal Act is based.

For purposes of paragraphs 3 and 4 above, “mineral resource extraction” means gas, oil, hydrocarbon, gravel, or sand extraction, geothermal wells, or other similar commercial mining activity, minimum lot size or density standards.

20.22.025 Application.

The applicant shall submit an application to the Community Development Department Planning Bureau with the following statement and exhibits:

A. One copy of a preliminary title report providing the legal description of the properties included in the application dated not more than three (3) months prior to submittal of the application.

B. Signatures of all record owners included in the application.

C. Legal description of parcel(s). Each parcel proposed for merger shall be described separately.

D. Site plan or map legibly drawn to a scale of sufficient size to show full detail, including the information set forth in Section 20.24.030.

20.22.030 – Lot merger plat map requirements.

A lot merger plat shall be drawn to a scale of sufficient size to show full detail, on a minimum sheet size of 8 ½" x 11", and include the following information:

A. Boundary information necessary to determine the lot merger. A field survey shall be necessary. After a field survey is performed, traverse calculations, monument notes and boundary establishment explanations must be included. The site plan shall be consistent with the current California Building Code Section 107.2.5 stating a site plan shall have an accurate boundary. A record of survey may be required in accordance with Business and Professions Code section 8762.

B. Basis of Bearing statement that includes the bearing of a line shown on the plat.

C. Written legal description of existing and proposed parcel with wet signature and seal of Licensed Land Surveyor (L.S.) or qualified Registered Civil Engineer (R.C.E.).

D. Engineer's or Surveyor's certificate with seal, address and telephone number, registration or license number of engineer or surveyor who prepared the map.

E. Title "LOT MERGER NO. _____."

F. Vicinity Map with north arrow and scale indicated.

G. Name, address, telephone number, email address and notarized wet signature of property owner (s).

H. Plat plan with north arrow and scale.

I. Location, width, names, and purpose of all existing and proposed easements for utilities, drainage and other public purposes, shown by dashed lines, within and adjacent to the subdivision; all existing and proposed utilities including size of gas and water lines and the size and grade of sewer lines, location of manholes, valve lids, fire hydrants, street trees, and streetlights.

J. Names of the owners and the Assessor numbers of properties adjacent to the parcels involved.

K. Distinct line type indicating existing boundary and property line(s) to be eliminated as a dashed line with dimensions and keyed to a legend.

L. Proposed boundary to be shown as a solid line.

M. The net or total area of the proposed lot(s) and the area of each existing lot.

N. The dimension of each boundary of each proposed lot.

O. The location of all existing buildings and structures and their uses, the distance between said buildings and structures, displayed or labeled to one hundredth of a foot, and the minimum distance between each building or structure and the established boundary of the proposed lot on which it is located.

P. Location of all railroads, drainage courses, all natural or man-made obstacles, and an indication of any physical restrictions or conditions in the subdivision which affect the use of the property.

Q. A statement of the existing zoning and the proposed use of each lot.

R. As determined necessary by the Planning Department, dimensions of existing buildings or structures, natural or man-made features and perpendicular distances to the property lines for the purpose of identifying encroachments or indicating setbacks. Such features may include curb cuts, driveways, sidewalks, fences, walls, utility poles, vaults, meters, surface drainage etc.

S. A legend that defines line types and symbology.

T. Utilize legible fonts no smaller than one-tenth of an inch in size.

U. The legal description shall be entitled “EXHIBIT A” “LEGAL DESCRIPTION” and shall be displayed in a bold font no less than three tenths of an inch in size at the top center of the page.

V. The plat shall be entitled “EXHIBIT B” “PLAT” and shall be displayed in a bold font no less than three tenths of an inch in size at the top center of the page.

W. Show the proposed boundary as a heavy solid line with dimensions.

X. Indicate the tract lot and block numbers, underlying deed recording information, and the assessor’s parcel numbers of properties adjacent to the parcels involved.

Y. Topographic information with a reference to the source of the information.

20.22.035 – Accompanying data.

The subdivider shall file copies of drawings, statements, and other data with the Community Development Department as applicable to the proposed lot merger, including, but not limited to the following:

A. Easement documents (if any) and reference maps. Applicant(s) must also submit proof that each affected lot was created legally.

The following are legal lots:

1. Lots created by Parcel Map or Tract Map.
2. Lots created or intended to be created by metes and bounds or exception clause (s) prior to March 4, 1972.
3. Lots created by records of survey recorded prior to April 4, 1952.

B. A Certificate of Compliance or a Parcel Map will be required if any of the affected lots do not meet the above criteria. A parcel map will be required when merging five or more lots or parcels. An applicant may file for a waiver of the tentative parcel map.

20.22.040 – Required Findings.

The Community Development Director or stipulated designee shall approve a voluntary if all the following findings can be made:

A. The combined lots do not create inconsistencies with the Zoning regulations, Building Code, and the General Plan.

B. That the design of the lot merger or the type of improvements is consistent with the Local Coastal Plan (LCP) as it considers projected sea level rise, slope stability, hazards, and potential storm flooding for the life on the project based on available FEMA information.

C. Individual water and service laterals, sewer connections in accordance with Long Beach Water's Rules and Regulations, gas, and other utilities are available to the combined lot, or necessary easements are provided to the satisfaction of the Director of Public Works.

D. All drainage across the adjusted lot line shall be eliminated or necessary easements are provided to the satisfaction of the Director of Public Works.

20.22.045 – Community Development Director or stipulated designee action.

The Community Development Director or stipulated designee shall act to approve or disapprove the voluntary lot merger and shall limit review and approval to a determination of whether or not the lot resulting from the merger will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances. The Director shall not impose conditions or exactions on its approval of the voluntary merger except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a voluntary lot merger. A local agency shall approve or disapprove a voluntary lot merger pursuant to the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920) of Division 1).

20.22.050 – Expiration.

An approved voluntary lot merger shall expire thirty-six (36) months after its approval if it has not been recorded, except when a time extension has been granted by the Community Development Director or stipulated designee.

20.22.055 – Recording of a Notice of Merger.

The Community Development Director shall forward the Notice of Merger to the County Recorder. The applicant may record a record of survey or parcel map to finalize the voluntary lot merger at their own discretion if Business and Professions Code section 8762 is not applicable.

20.22.060 - Monumentation of a Lot Merger.

Upon recording the deeds reflecting the modified lot lines in a Lot Merger, the applicant shall place tagged, durable monuments at all remaining lot corners in accordance with Sections 8771 & 8772 of the California Business and Professions Code and shall file a record of survey in accordance with Section 8762 of the California Business and Professions Code. See Section 20.08.165 for Monument Standards.

20.22.065 – Lot-tie covenant.

The Zoning Administrator may find that a lot tie covenant in lieu of a lot merger is a sufficient legal instrument for combining lots for project(s) that:

A. Propose one hundred percent (100%) affordable units; or

B. City affiliated projects.

CHAPTER 20.24 – CITY-INITIATED LOT MERGERS

20.24.010 – Purpose.

The City has a procedure for requiring lot mergers in cases where adjacent properties under common ownership could be merged to better comply with established minimum lot dimensions and areas and be more compatible with surrounding development. Voluntary mergers typically pursued to accommodate new development projects are processed in the same manner as lot line adjustments and are described in Section 20.22. City-initiated mergers require a public hearing before the Zoning Administrator, while voluntary lot line adjustments are ministerial and do not require a public hearing.

20.24.015 – Preparation.

A lot merger shall be prepared by a qualified California civil engineer or a California licensed surveyor in accordance with these regulations. Civil engineers with licenses prior to January 1, 1982 (with a license number before 33966) are authorized to practice all land surveying and engineering surveying.

20.24.020 – Mergers not automatic with single ownership.

Refer to Section 20.22.020 for this provisions.

20.24.025 Application.

The applicant shall submit an application to the Community Development Department Services Planning Bureau with the following statement and exhibits:

A. One copy of a preliminary title report providing the legal description of the properties included in the application dated not more than three (3) months prior to submittal of the application.

B. Signatures of all record owners included in the application.

C. Legal description, Exhibit A, and a plat, Exhibit B, of parcel(s). Each parcel proposed for merger shall be described separately.

D. Site plan legibly drawn to a scale of sufficient size to show full detail, including the information set forth in Section 20.24.030.

20.24.030 – Lot merger plat map requirements.

Refer to Section 20.22.030 for plat map requirements.

20.24.035 – Accompanying data.

The subdivider shall file copies of drawings, statements, and other data with the Community Development Department as applicable to the proposed lot merger, including, but not limited to the following:

A. Easement documents (if any) and reference maps. Applicant(s) must also submit proof that each affected lot was created legally.

The following are legal lots:

1. Lots created by Parcel Map or Tract Map

2. Lots created or intended to be created by metes and bounds or exception clause(s) prior to March 4, 1972

3. Lots created by records of survey recorded prior to April 4, 1952

B. A Certificate of Compliance or a Parcel Map will be required if any of the affected lots do not meet the above criteria.

20.24.040 – Findings required.

Lot mergers shall be required if the Zoning Administrator, at a public hearing, makes any of the following findings:

A. Any of the contiguous parcels or units held by the same owner do not conform to the minimum size standards as required by the zoning regulations, and at least one (1) of such contiguous parcels is not developed with a separate building for which a permit has been issued by the City; or

B. A single project is developed on contiguous lots in such a manner that one (1) or more of these recorded lots could be sold separately from this project but will result in reduction of required parking, setbacks, open spaces, or violation of other development standards as specified in the current zoning regulations.

C. That the design of the lot merger or the type of improvements is consistent with the Local Coastal Plan (LCP) as it considers projected sea level rise, slope stability, hazards, and potential storm flooding for the life on the project based on available FEMA information.

D. Lot mergers cannot exceed five or more parcels or lots. Multiple lot mergers to consolidate five or more parcels is not permitted and a parcel map shall be required. The tentative parcel map may be waived. Parcel maps shall be based upon a field survey. Record data parcel maps are not permitted.

20.24.045 – Initiation.

A lot merger may be initiated by the record owner of the lots to be merged or by the Community Development Director.

20.24.050 – Notice to affected property owner(s).

The owner(s) of the property to be affected by the merger shall be notified in writing by certified mail and given the opportunity to submit evidence that the property does not meet the criteria to require a merger. Such notice shall specify the date, time, and place when the Zoning Administrator will hold a public hearing on the matter.

20.24.055 – Zoning Administrator action.

At the conclusion of the hearing, the Zoning Administrator shall require that a lot merger be filed if any of the findings as stated in Section 20.24.030 is made. The Zoning Administrator's decision shall be transmitted to the affected property owners.

20.24.060 – Recording.

Upon a determination that there has been a lot merger, the Community Development Director shall file a notice of lot merger and a Certificate of Compliance for record with the County Recorder, specifying the names of the record owners and particularly describing the real property involved. A copy of said notice shall be sent to the Director of Public Works for recordation on the official maps of the City.

20.24.065 - Monumentation of a Lot Merger.

Upon recording the deeds reflecting the modified lot lines in a Lot Merger, the applicant shall place tagged, durable monuments at all remaining lot corners in accordance with Sections 8771 & 8772 of the California Business and Professions Code and shall file a Parcel Map or Record of Survey in accordance with Section 8762 of the California Business and Professions Code. See Section 20.08.165 for Monument Standards.

20.24.070 – Expiration.

An approved City initiated lot merger shall expire thirty-six (36) months after its approval if it has not been recorded, except when a time extension has been granted by the Community Development Director or stipulated designee.

CHAPTER 20.28 – ILLEGAL LOTS AND CERTIFICATES OF COMPLIANCE

20.28.010 – Applicability and criteria for approval.

A. Applicability - Illegal lots refer to remnant parcels that were not originally created legally through a recorded map procedure consistent with the State of California Subdivision Map Act and applicable City Subdivision Ordinance. These remnant parcels are often nonconforming in terms of meeting lot area and other dimensional requirements such as lot width and length.

B. A certificate of compliance may be issued for illegal lots which meet any one of the following criteria:

1. The lot division creating the illegal lot was done prior to April 4, 1975;
2. The lot division creating the illegal lot after April 4, 1975, was the result of the Planning Commission waiver of parcel map; or
3. The lot division creating the illegal lot after April 4, 1975, was the result of a lot line adjustment approved by the Zoning Administrator.

C. A certificate of compliance shall not be issued for any lot or parcel that does not meet the following standards:

1. Has a legal vehicular and pedestrian access to a public or private street;
2. The certification of an unrecorded lot line does not create a zoning violation for building setbacks, or a standards variance or modification permit for a lesser setback was approved;
3. The lot or parcel has a minimum width of twenty-five feet (25'), and a contiguous parcel(s) is held by the same owner and one (1) of the parcels is vacant;
4. The parcels have been developed to their full development potential under the existing zoning and used as one (1) parcel or lot;
5. Has water or sewer services that meet the requirements of the Long Beach Water Department Rules and Regulations; and
6. That issuance of the certificate of compliance is consistent with the Local Coastal Plan (LCP) as it considers projected sea level rise and potential storm flooding for the life on the project based on available FEMA information.

20.28.020 – Conditional approval.

When an illegal lot is eligible for a certificate of compliance but the design or improvement does not comply with the provisions of these regulations or other local ordinances, the City may, as a condition to granting a certificate of compliance, impose such conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property.

20.28.030 – Deed restriction.

When an illegal lot is substandard in size or has limited access, a deed restriction shall be recorded to restrict the type of land use and its density.

20.28.040 – Conditions required for building permit issuance.

For illegal lots created prior to April 4, 1975, no building permit shall be issued for the property until the current property owner:

A. Provides a separate sewer connection to the public sewer or obtains necessary easements to the satisfaction of the Director of Public Works;

B. Eliminates all cross-lot drainage and cross-lot conveyance of gas and water service laterals, or obtains necessary easements to the satisfaction of the Director of Public Works; and

C. Agrees to repair all damaged off-site improvements including curb, gutter, sidewalk, and alley adjoining the site to the satisfaction of the Director of Public Works.

The owner shall furnish a copy of the above conditions and requirements to the prospective buyer prior to the close of any escrow involving the sale or lease of condominium or other common interest units on the parcel.

20.28.050 – Created before April 4, 1975—Filing.

The request shall be made in writing on a form provided by the Community Development Department along with the following data:

A. A title report containing a legal description of the property, a chain of title, and easement information;

B. A plot plan legibly drawn to scale to show dimensions of the property, locations of existing and including, but not limited to, proposed buildings, setbacks of all existing and proposed buildings to property lines, pedestrian and vehicular access points, locations of utility lines and easements, and other information to determine compliance with established standards in Section 20. 24.010; and

C. A document verifying that the division was lawfully created prior to April 4, 1975.

20.28.060 - Created before April 4, 1975—Certificate of compliance.

Where the request complies with the provisions of this Section, a certificate of compliance, or a conditional certificate of compliance, shall be issued by the Community Development Department.

20.28.070 – Created before April 4, 1975—Recording.

Following issuance of the certificate of compliance, the Community Development Department shall record the certificate with the County Recorder.

20.28.080 – Created before April 4, 1975—Map.

After issuance of a certificate of compliance, the Community Development Department shall transmit a copy of such certificate to the Director of Public Works and this new recorded lot or division shall be shown on the official maps of the City of Long Beach.

20.28.090 – Created after April 4, 1975.

A certificate of compliance shall be issued and recorded for any illegal lot created after April 4, 1975 if the filing of a (final) parcel map for such lot is waived or a lot line adjustment for the lot is approved by the Zoning Administrator.

Chapter 20.30 – COMMON INTEREST SUBDIVISIONS

20.30.010 – Applicability.

Common Interest Subdivisions provide for ownership of separate units as well as interest in commonly owned areas that are managed and maintained by a homeowners' association. As further described in the definitions section, Common Interest Subdivisions include the following:

A. Airspace Condominium (residential zones), and

B. Planned Unit Development

20.30.020 – Purpose.

Common Interest Subdivisions allow for the creative use of project sites to lay out development to address physical site constraints and cluster residential units in more creative and functional fashions. They are often employed to create small lot subdivisions which provide for many of the amenities of traditional residential subdivisions, but allow for more efficient use of sites, and net more workforce units that are affordable to those first entering the housing market. These types of common interest projects run the gamut from smaller infill sites to larger development projects with more common spaces and shared facilities.

20.30.030 – Property development standards for airspace condominiums.

Within Airspace Condominium projects, property development standards, including (but not limited to) density, yards, and coverage, shall apply with respect to the exterior boundary lines (property lines) of the proposed subdivision and not to individual dwelling units within the project. Area outside of units is owned and maintained by a homeowners' association. Density may be averaged over the entire site, and separation between units is not governed by the Zoning Regulations yard requirements. Units may be attached or detached or even stacked. Each unit must meet the private open space requirements, and a common open space must be provided on site. Typically, the map consists of one common lot with a condominium plan identifying the outline of each unit.

20.30.040 – Property development standards for planned unit developments.

Planned Unit Developments create small fee simple lots. Within Planned Unit Development subdivisions, property development standards shall apply to each lot within the project unless different standards are approved through the Planned Unit Development zoning process (Section 21.31.300 of the Zoning Regulations).

20.30.050 – Property improvement standards for common interest subdivisions.

A. Common open space, recreation facilities and driveways may be contained within easements or a commonly owned separate lot.

B. Common interest subdivisions must provide a method of common area maintenance by means of an association or agreement.

20.30.060 – Application requirements for common interest subdivisions.

In addition to application submittal requirements for Tentative Maps provided in Chapter 20.12, the following additional information is required to complete an application submittal:

A. Common interest subdivisions are subject to the City's Site Plan Review process and require a separate application for Site Plan Review. In summary, a development plan that includes the following information will be required:

1. A site plan with proposed building footprints with property boundaries. All dimensions shall be clearly labeled.
2. Proposed building elevations with dimensions and floor plans.
3. A grading and site drainage plan.
4. Parking stalls, driveways and associated public improvements shall be provided and clearly dimensioned.
5. A list of property statistics, including any proposed exceptions, shall be provided on the plans. The statistics shall identify how the project complies with relevant property development standards.
6. A landscape plan.
7. Commonly owned parcels or easements and methods of maintenance (association) shall be clearly identified on the plans.

Chapter 20.31 – AIRSPACE SUBDIVISIONS

20.31.010 – Applicability.

As further described in the definitions section, Chapter 20.36, Airspace Subdivisions differ from Common Interest Subdivisions in that they do not share interest in a common area within the map boundaries. Instead, airspace subdivisions divide property ownership into three-dimensional spaces, often stacked upon one another. Airspace Subdivisions are not allowed within residential zoning districts and are intended to serve mixed use, multi-story buildings within all commercial zoning districts where permitted.

20.31.020 – Tentative map requirements.

A. All tentative maps creating airspace lots shall be required to incorporate a deed restriction which ensures the following:

   1. Airspace lots shall have access to appropriate public rights of way by means of one or more easements or other entitlements to use, in a form satisfactory to the Public Works Director, City Attorney, and Building Official.

   2. Parking requirements, inclusionary housing requirements, Building Code requirements, all other applicable property development standards required by the Zoning Regulations, and any other technical code requirements affecting the development of the property, shall be determined for the air space lots as if all lots in the air space subdivision were merged into the same lot.

B. Individual buildings that are subdivided by an airspace map shall be reviewed as a single building for purposes of the building code, zoning code, and General Plan policies. Property development standards including, but not limited to density, lot coverage, floor area ratio, parking, height, and setbacks shall be calculated as if the subdivided building were within one lot.

   1. In addition to the application submittal requirements for tentative maps, the tentative map shall provide cross-sectional drawings showing how the proposed building or buildings are to be divided into ownership boundaries.

CHAPTER 20.32 – CONDOMINIUM, COMMUNITY APARTMENT PROJECT AND STOCK COOPERATIVE CONVERSION[5]

Footnotes:

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State Law reference— Provisions on improvement security, Gov. Code § 66499 et seq.

ARTICLE 1. – GENERAL PROVISIONS

20.32.010 – Purpose.

A. This Section shall provide for the regulations of ownership conversion projects where ownership of existing buildings is subdivided into common interest ownership whether such subdivision involves residential to residential; residential to commercial/industrial; commercial/industrial to commercial/industrial or commercial/industrial to residential use conversions. Common interest conversions include:

1. Conversions to condominium as defined in Section 1350 of the Civil Code;
2. Conversion to community apartment projects, as defined in Section 11004 of the Business and Professions Code; or
3. Conversion to stock cooperatives, as defined in Section 11003.2 of the Business and Professions Code.

B. This Section recognizes that a conversion is different from a new construction in that the owners of a unit in a conversion take responsibility for a building built under standards that may be less stringent than those that are currently deemed necessary, and existing tenants may be displaced by a conversion. A conversion also differs from a rental property in that the unit owner assumes long-term responsibility for the unit owned, for the common areas of the project, and the higher level of economic cost required to own instead of rent.

C. The intent of this Section is thus to provide increased ownership opportunities for all segments of the population; to mitigate the hardship caused by displacement of tenants (particularly those in low to moderate cost housing, those who are elderly, families with low income, and other special needs households; and to assure that conversion projects maintain long-term economic value for the owner. Therefore, such conversions shall be permitted, provided that they comply with the minimum standards, and meet the required findings subject to the action of the decision-making body set forth in this Section for the type of conversion proposed.

20.32.025 – Exclusions—Certification procedures.

A. Notwithstanding any provision of Section 20.02.050 of the Long Beach Municipal Code, the conversion of a community apartment project or a stock cooperative to another form of ownership shall be excluded from all other provisions of Chapter 20.32 if the owner seeking such exclusion applies for and is granted a certification establishing entitlement to the exclusion under Section 66412 of the California Government Code pursuant to the provisions of this Section 20.32.025.

B. In order to be granted such certification, an owner shall apply for such certification, and the application shall include sufficient evidence and documentation to enable the certifying authority to make each and every requirement set forth in Subsection C of this Section.

1. Each application shall be accompanied by a nonrefundable fee to reimburse the City for its cost of accepting and processing the application in an amount as set forth from time to time by resolution of the City Council.
2. Each application shall also be accompanied by, and shall not be deemed complete unless accompanied by the following:
    a. A statement applying for certification of exclusion signed by the person/party authorized to act for those with record title interest in the property for which the exclusion is sought;
    b. In the case of the conversion of a community apartment project, evidence that the provisions of California Government Code Subdivision 66412(g), relating to the property proposed for exclusion have been met (Sections 20.32.025(C)(1));
    c. In the case of the conversion of stock cooperatives, evidence that the provisions of California Government Code Section 66412(h) have been met (Section 20.32.025(C)(2);
    d. In the case of either the conversion of community apartment or stock cooperative, an enforceable plan for assuring, to the satisfaction of the City, that the noticing, purchase option, and tenant disclosure provisions of Sections 20.32.040, 20.32.050 and 20.32.060 will be met; and
    e. Evidence of insurable title in the project proposed for conversion.

C. The Community Development Department shall issue a certificate of exclusion for each project for which application is lawfully made if, and only if, the Community Development Director, or his/her lawful designee, makes the following findings based on the application reviewed by him after acceptance as complete:

1. That, in the case of a community apartment project, all of the following requirements are met:
    a. The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the stock cooperative, an assignment of lease, or issuance of shares to a stockholder.
    b. Subject to compliance with Sections 4290 and 4295, or with Sections 6626 and 6628, of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative.
    c. If subdivision, as defined in Section 66424, of the property occurred after January 1, 1980, both of the following requirements are met:
        (1) A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion.

(2) No more than 49 percent of the shares in the project were owned by any one person as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1982.

2. That, in the case of stock cooperative project, all of the following requirements are met:

a. The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the stock cooperative, an assignment of lease, or issuance of shares to a stockholder.

b. A person renting a unit in a cooperative shall be entitled at the time of conversion to all tenant rights in state or local law, including, but not limited to, rights respecting first refusal, notice, and displacement and relocation benefits.

c. Subject to compliance with Sections 4290 and 4295, or with Sections 6626 and 6628, of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative.

d. If subdivision, as defined in Section 66424, of the property occurred after January 1, 1980, both of the following requirements are met:

(1) A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion.

(2) No more than 49 percent of the shares in the project were owned by any one person as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1982.

e. The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

3. With either a conversion of a community apartment or a stock cooperative, that evidence of insurable title in the property proposed for conversion has been filed with the City.

D. Each certificate of exclusion issued by the Community Development Director or designee shall, following issuance, be recorded in the office of the Recorder of the County of Los Angeles and shall, upon such recordation, be deemed in full force and effect.

E. For purposes of review under the California Environmental Quality Act, certificates issued pursuant to this Section shall be deemed categorically exempt.

F. As used in this Section "certifying authority" means the Community Development Director of the City of Long Beach or his/her designee.

ARTICLE 2. – RESIDENTIAL RENTAL TO RESIDENTIAL/COMMERCIAL/INDUSTRIAL OWNERSHIP REQUIREMENTS

20.32.030 – Generally.

The provisions of this Article shall apply to any project consisting of the conversion of residential rental unit use to an ownership unit of any use.

20.32.040 – Tenant notice.

A current property owner shall be responsible to give each tenant and each prospective tenant all applicable notices, documents, and rights now or hereafter as required by these regulations and State Law. These notices shall be documented and receipts of such notices by each tenant or prospective tenant shall be furnished to the Community Development Department. These notices shall include, but are not limited to:

A. Each tenant shall be given written notice of the intent to seek a conversion a minimum of sixty (60) days prior to the filing of a tentative map for the subject rental property.

B. Each tenant shall be given written notice 10 days prior that an application for a public report will be submitted to the Bureau of Real Estate, that the period for each tenant's right to purchase begins with the issuance of the final report, and that the report will be available upon request. Such notice shall contain, as a minimum, an explanation of the tenant's rights and benefits as a result of the conversion, and a statement that no evictions will occur as a result of conversion for at least one hundred eighty (180) days.

C. Each tenant shall be given written notice of the public hearing at least ten (10) days prior to the public hearing on the tentative map before the Planning Commission and Zoning Administrator. Such notice shall be as specified by the Community Development Director and shall contain, as a minimum, an estimate as to the length of time before the conversion, if approved, would result in the tenant's eviction; an explanation of the tenant's rights and benefits if the conversion is approved; and the grounds upon which the Planning Commission or the Zoning Administrator can deny the request for conversion.

D. A copy of the agenda and staff report to the Planning Commission and Zoning Administrator on the proposed conversion shall be delivered to each tenant of the subject property at least three (3) days prior to the hearing date.

E. Each tenant shall receive written notification within ten (10) days of approval of a tentative map for the proposed conversion.

F. Each tenant shall receive written notification at least ten (10) days prior to consideration of final map approval for the subject conversion by the City Council, or Director of Public Works, as applicable. Such notices shall provide an estimate of the length of time prior to eviction. For all projects, relocation assistance/benefits shall be provided in accordance with Long Beach Municipal Code, Chapter 21.60 of the Zoning Regulations, and State Law. The subdivider shall specify when the tenants will be eligible for these benefits and eviction shall not occur for at least one hundred eighty (180) days after the date as specified.

G. For a project with five (5) units or more, each tenant shall receive written notice within five (5) days of the issuance of the final subdivision public report by the State Bureau of Real Estate. A copy of this report shall be available to tenants on request.

H. No eviction shall occur as a result of conversion for at least one hundred eighty (180) days from approval of a tentative map, and the end of the ninety (90) day period of the exclusive option to purchase the unit. If a property owner does not offer the units for sale to the tenants within two (2) years after approval of a final map, the minimum one hundred eighty (180) days' notice prior to the eviction including a ninety (90) day exclusive option to purchase period shall be provided to each tenant prior to eviction when the owner decides to offer the units for sale. Within the designated time periods prior to notice of eviction, tenant rental rates shall not be increased.

I. Very low- or low-income households shall not be displaced from housing unless first given prior written notice of the intended conversion, on a form provided or approved by the Housing & Neighborhood Services Bureau, at least eighteen (18) months prior to the intended date of displacement. Less notification time may be permitted in accordance with Chapter 21.60.

20.32.050 – Tenant option to purchase.

Each tenant shall be given notice of an exclusive right to contract for the purchase of an occupied unit, or other available rental units in the building upon the same terms and conditions that such units will be initially offered to the general public or on terms more favorable to the tenant: This right shall run for a period of not less than ninety (90) days from:

A. The date of approval of a final map (for four (4) units or less); or

B. The date of issuance of the final subdivision public report (for five (5) units or more) unless the tenant gives prior written notice of their intention not to exercise the right.

20.32.060 – New tenant disclosure.

A. Whenever, after serving of the notice of intention to submit a tentative map for conversion (or after completion of a multi-family dwelling for which a condominium, community apartments or stock cooperative map has received tentative approval), the owner rents or leases any dwelling unit affected by such map, the person to whom the dwelling is to be rented or leased shall be informed of the owner's intention to convert. Such disclosure shall occur prior to finalization of any rental or lease agreement. Such disclosure shall be a single page document stating that an application for conversion will be or has been submitted and that the prospective tenant should consider that at some future date the building will be converted. The prospective tenant shall sign such document acknowledging that he has been notified of the potential conversion.

B. Any person so notified shall not be entitled to the moving expenses or displacement benefits specified in this Section. However, a tenant who resides in the complex when the first notice of intention to convert is given or when first notified of the intent to convert, shall still be entitled to the moving expenses or displacement benefits specified in this Section regardless of notice prior to execution of a rental or lease agreement. The disclosure document shall also disclose that the prospective tenant will not be entitled to

these expenses or benefits. Any tenant who does not receive such notification shall be entitled to these expenses or benefits.

C. Regardless of each prospective tenant being informed of the proposed conversion prior to finalization of any rent or lease agreement, a notice of such intended conversion shall be posted and maintained at all times in a highly visible location outside the Manager's office or unit or the rental office, if any.

20.32.085 – Harassment.

After approval of the tentative map, action by the landlord which is intended to cause the tenant to quit the premises prior to one hundred eighty (180) day notice, including unreasonable rent increases, shall be considered harassment and shall be grounds for denial of a final map.

20.32.090 – Code compliance.

The owner seeking a conversion shall file a request with the Building and Safety Bureau for a special code compliance inspection. The report from such inspection of all units to be converted must be received by Planning Bureau before an application for a tentative map for a conversion is considered complete. Such report shall list all violations relating to the applicable requirements in Title 18 of the Long Beach Municipal Code which may cause health or safety hazards as determined by the Building and Safety Bureau. The subdivider shall correct all listed violations prior to approval of the final map. Such fees as are established by City Council resolution shall be paid for the inspection and for any subsequent inspection as is necessary to ensure that corrections have been completed.

20.32.100 – Major system corrections.

The owners shall submit with the application for tentative map approval for conversion inspection reports from State licensed contractors for the heating and plumbing systems of the project, as well as reports for an inspection of the roof and an inspection for termites if applicable. All such inspections shall have been conducted within three (3) months prior to the submittal of the tentative map. Any corrections or repairs recommended as reasonably necessary within the next five (5) years shall be provided for prior to approval of the final map.

20.32.110 – Sound attenuation.

Sound attenuation in all wall and floor-to-ceiling assemblies abutting other dwelling units, or hallways shall be required to meet a minimum Sound Transmission Class (STC) as required by Title 18 of the Long Beach Municipal Code. Whenever there are practical difficulties involved in carrying out the provisions of this Section, a code modification may be considered pursuant to Section 18.03.050 for justifiable cause. To support a requested code modification, documentation shall be provided from a third-party acoustic engineer on sound attenuation conditions between units vertically and horizontally as well as exterior noise. Recommended improvements should be identified to ensure compliance to the maximum extent practical.

20.32.120 – Smoke and Carbon Monoxide Detection equipment.

A smoke and carbon monoxide device(s) shall be provided for each residential unit. A device or devices shall be located and mounted as required in Title 18 of the Long Beach Municipal Code. All required detectors shall be located in accordance with approved manufacturer's instructions and shall receive their primary power from the buildings wiring.

20.32.130 – Parking requirements.

The minimum off-street parking shall be provided in accordance with the current standards in Chapter 21.41 or Title 22 of the Municipal Code, Planned Developments, and Specific Plans, except as specified in this Section. The following exceptions apply:

- If the conversion meets applicable affordability standards in accordance with Government Code Sections 65915 through 65918, the project may use the allowed lower parking requirements included in this code.
- If the project is located within a one-half (1/2) mile radius from a major public transit stop as defined in Section 21155 of the Public Resources Code, no parking shall be required pursuant to Government Code Section 65863.2 for residential and commercial projects or other development projects unless the City makes written findings, within 30 days of the receipt of a completed application, that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact, supported by a preponderance of the evidence in the record.
- If the project is outside of the half-mile radius of a major public transit stop but within the Transit Priority Area, Transportation System Demand Management (TDMs) strategies may be implemented, subject to Site Plan Review.
    - The covenants, conditions and restrictions (CC&Rs) shall demonstrate how the Homeowners Association (HOA) will manage the strategies implemented in the TDMs for the project.
    - Conversion projects in the Coastal Zone do not qualify for TDMs, except for areas within the Southeast Area Specific Plan (SEASP).

20.32.140 – Distribution of required parking.

When parking is required, no less than one (1) parking space that may be independently accessed shall permanently be available to each dwelling unit, except that upon request, the Site Plan Review Committee may waive this requirement and allow unbundled parking (parking spaces rented or sold separately, rather than automatically included with the rent or purchase price of a residential unit), subject to the meeting following:

A. The covenants, conditions and restrictions (CC&Rs) shall demonstrate how the Homeowners Association (HOA) will manage the unbundled parking for the project.

20.32.150 – Building security.

Each unit shall be subject to the building security provisions in accordance with Title 18 of the Long Beach Municipal Code, which shall include, but is not limited to the following:

A. Keying.

B. Door Jambs.

C. Locks.

D. Doors.

E. Hinges.

F. Windows and Sliding Glass Doors.

G. Street Numbers.

H. Lighting.

20.32.160 – Energy conservation requirements.

An energy audit of the buildings shall be performed that evaluates how existing conditions can more closely reflect current Building Code requirements. A report with the audit's findings shall be prepared to the approval of the City's Chief Building Official. At the Building Official's discretion in terms of feasibility to implement, the following minimum energy conservation standards shall be met or exceeded for all conversions prior to approval of the final map:

A. Insulation. Insulation in ceilings and attics exposed to the exterior of the building shall be such that the resistive value of the ceilings and attics shall be of "R-value" of at least R-19.

B. Weather Stripping. All operable doors and windows opening to the exterior or to unconditioned areas such as garages shall be fully weather-stripped, gasketed or otherwise treated to limit temperature infiltration.

C. Pools. Swimming pool covers shall be installed for existing swimming pools.

D. Separate Utility Meters. All units shall be converted to separate utility meters except when common water heating systems are provided or when the type of common meter system is such that it is not reasonably feasible to convert to a separate meter system.

20.32.170 – Minimum size.

No conversion shall be permitted if more than fifteen percent (15%) of the total number of units in the conversion have a unit size less than four hundred fifty (450) square feet, unless the project involves micro units as defined in Chapter 21.15.1756 and meets the special standards within Chapter 21.45.600.

A. Conversion projects involving micro-units shall be applicable until the 500-unit cap of micro-units is satisfied, unless extended by City Council Action.

20.32.175 – Existing Conditions Report required.

An existing conditions report shall be provided to determine if right-of-way and utility improvements, as well as other site improvements will be required for the development. The following are typical project improvements that may require upgrading as part of the conversion request:

A. Right-of-way improvements abutting the property including sidewalks, curbs cuts, curbs, gutters, driveway approaches, alleys and parkway landscaping including trees.

B. Repaving and striping of on-site hardscapes such as parking areas and driveways.

C. Utilities such as gas lines, water mains, and sewer laterals, and other utilities.

D. Building façade upgrades such as siding replacement, plaster patching, new windows, and painting.

E. Landscaping improvements for beautification, energy efficiency, reducing water runoff and reducing water use.

F. Open space enhancements and community recreation facilities.

20.32.180 – Improvement Plan.

Based on the recommendations of the existing conditions report identified in Section 20.32.175, an improvement plan shall be submitted to the Community Development Department that includes detailed information for upgrading the proposed project to the standards in effect for construction of new buildings, to the extent financially and practically feasible with regard to building/architectural design, site improvements, parking, open space and landscaping. No improvement plan shall be deemed adequate for purposes of processing a tentative map for condominiums until approved by the Community Development Director, or the Director's designated representative, as complying with the requirements of this section. Submittal requirements include, but are not limited to, the following:

A. A site plan showing all existing and proposed structures, including walls and fences, landscaping, site amenities, irrigation systems, driveways, and parking areas, including the information set forth in Section 20.24.030. The site plan shall be consistent with the current California Building Code Section 107.2.5 stating a site plan shall have an accurate boundary.

B. A statement of the current and proposed ownership of the subject property and its current and proposed use.

C. A description of the site including its overall area.

D. The number of existing and proposed dwelling units in the project and including the number of bedrooms in each unit.

E. A copy of the current management program, as well as a proposed management program that includes requirements for oversight of parking assignments, operations standards, structural maintenance, and a schedule for all types of long-term project maintenance needs.

F. The plan shall identify existing facilities and plan improvements to help enhance the quality of the development such as laundry facilities, heating and cooling systems, and on-site storage areas for the use of tenants.

G. A statement of proposed assessments and fees to be charged to owners of dwelling units after conversion to condominiums.

H. An inspection report prepared by a third-party substantiating that the full extent of necessary improvements is included in the submitted improvement plan.

I. A market rate study.

20.32.185 – Typical conditions.

A. The subdivider shall commission a current structural pest control inspection report prepared by a licensed professional, showing the subject premises to be free of evidence of termite, dry-rot, fungi and/or damage therefrom. Such a report shall be deemed current for a period of not more than ninety (90) days following the date of inspection.

B. The subdivider shall prepare conditions, covenants, and restrictions (CC&R's) to be approved by the Community Development Director and the City Attorney prior to final map approval. CC&R's shall contain the following provisions:

    1. Creation of a homeowners' association (HOA) to enforce the CC&R's and provide for professional, perpetual maintenance of all common areas including private driveways, drainage, on-site utilities, parking lot areas, walls and fences, lighting, and landscaping.

2. The HOA shall require residents to pay a monthly fee to help offset long-term maintenance costs of the buildings and other improvements. Additional special assessments may be required to pay for major upgrades or repairs beyond HOA revenue generated by monthly dues as a maintenance fund.

C. The subdivider shall provide a one-year minimum condominium warranty to residents.

20.32.190 – Required findings.

A tentative map for the conversion shall be approved if the following findings can be made:

A. The submitted improvement plan has been approved by the Community Development Director and demonstrates that the project will provide safe and energy efficient housing, adequate parking, and typical residential facilities and amenities.

B. The project will provide ownership opportunities for residents consistent with goals of the City's adopted Housing Element.

C. A portion of the project units will be available to home buyers in qualifying affordable income categories consistent with the City's Inclusionary Ordinance.

D. To the extent feasible, the project has been improved to closely comply with the current development standards in this Title and Title 21/22.

E. Approval of the conversion will not be detrimental to the welfare of future residents of the project, surrounding property owners and residents, and the general public.

F. The vacancy rate for multifamily dwelling units in the City is greater than five percent (5%).

G. Existing tenants were notified of the conversion consistent with the provisions included in Section 20.32.040, provided with the option to purchase a unit consistent with Section 20.32.050., and advised of potential moving expenses or displacement benefits consistent with Section 20.32.060.

20.32.195 - Exceptions.

For exceptions, see Article 5 of this chapter.

ARTICLE 3. – COMMERCIAL/INDUSTRIAL/RENTAL TO COMMERCIAL/INDUSTRIAL/RESIDENTIAL OWNERSHIP

20.32.200 – Generally.

The provisions of this Article shall apply to any project consisting of the conversion of commercial/industrial rental to commercial/industrial/residential ownership.

20.32.210 – Tenant notice.

A current property owner shall be responsible to give each tenant and each prospective tenant all applicable notices and rights now or hereafter as required by these regulations and State Law. Prior to sending out notices, the property owner shall ask tenants of their preferred language for the notice. A draft version of the notices shall be submitted to the Community Development Department for review and approval to wording and format prior to sending to tenants. Upon request by a visually impaired or blind recipient, special notice options shall be made available such as a braille notice, mailed CD with audible notice, or a follow-up phone call from City staff to read the notice. These notices shall be

documented and receipts of such notices by each tenant or prospective tenant shall be furnished to the Community Development Department. The notices shall include but is not limited to:

A. Each tenant shall be given written notice of the public hearing at least ten (10) days prior to the public hearing on the tentative map before the Planning Commission or Zoning Administrator. Such notice shall be as specified by the Community Development Director and shall contain, as a minimum, an estimate as to the length of time before the conversion, if approved, would result in the tenant's eviction; and explanation of the tenant's rights and benefits if the conversion is approved; and the grounds upon which the Planning Commission or Zoning Administrator can deny the request for conversion.

B. Each tenant shall receive written notification within ten (10) days of approval of a tentative map for the proposed conversion. Such notice shall contain, as a minimum, an explanation of the tenant's rights and benefits as a result of the conversion, and a statement that no evictions will occur as a result of conversion for at least one hundred eighty (180) days.

C. Each tenant shall receive written notice of approval of a final map within ten (10) days after the approval. Such notice shall also specify that each tenant shall have a ninety (90) day exclusive option to purchase a unit, that no eviction shall occur as a result of conversion prior to the end of that ninety (90) day period. If the property owner has no intention to sell units within two (2) years after approval of a final map, such intention shall be clearly stated and a minimum of one hundred eighty (180) day notice prior to the eviction and a ninety (90) day period for an option to purchase shall be provided to each tenant.

20.32.220 – Tenant option to purchase.

Consistent with the noticing review process and options described in Section 20.32.210, each tenant shall be given notice of an exclusive right to contract for the purchase of an occupied unit, or other available rental unit(s) in the building upon the same terms and conditions that such units will be initially offered to the general public or on terms more favorable to the tenant; the right shall run for a period of not less than ninety (90) days from the date of approval of a final map, unless the tenant gives prior written notice of his intention not to exercise the right.

20.32.230 – New tenant disclosure.

A. Whenever, after submittal of a tentative map for conversion (or after completion of building for which a tentative map for approval of a condominium or stock cooperative has received approval) each prospective tenant shall be informed of the owner's intention to convert. Such disclosure shall occur prior to finalization of any rental or lease agreement. Such disclosure shall be a single page document stating that an application for conversion has been submitted and that the prospective tenant should consider that at some future date the building will be converted. The prospective tenant shall sign such document acknowledging that he has been notified of the potential conversion.

B. The disclosure document shall also disclose that the prospective tenant will not be entitled to benefits or rights as required by these regulations. However, any tenant who does not receive such notification shall be entitled to these benefits.

C. Regardless of each prospective tenant being informed of the proposed conversion prior to finalization of any rent or lease agreement, a notice of such intended conversion shall be posted and maintained at all times in a highly visible location on the site.

20.32.240 – Parking.

The minimum off-street parking shall be provided in accordance with the current standards in Chapter 21.41 or Title 22 of the Municipal Code, Planned Developments, and Specific Plans, except as specified in this Section. The following exceptions apply:

A. If the conversion meets applicable affordability standards in accordance with Government Code Sections 65915 through 65918, the project may use the allowed lower parking requirements included in this code.

B. If the project is located within one-half (1/2) mile radius from a major public transit stop as defined in Section 21155 of the Public Resources Code, no parking shall be required as pursuant to Government Code Section 65863.2 for residential and commercial projects or other development projects unless the City makes written findings, within 30 days of the receipt of a completed application, that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact, supported by a preponderance of the evidence in the record.

C. If the project is outside of the half-mile radius of a major public transit stop but with the Transit Priority Area, Transportation System Demand Management (TDMs) strategies may be implemented, subject to Site Plan Review Committee.

    1. The covenants, conditions, and restrictions (CC&Rs) shall demonstrate how the Homeowners Association (HOA) will manage the strategies implemented in the TDMs for the project.

    2. Conversion projects in the Coastal Zone do not qualify for TDMs, except for areas within the Southeast Area Specific Plan (SEASP).

D. A commercial property may be exempted from the current parking standard of Chapter 21.41 and Title 22 for a commercial condominium conversion project if parking for the development, at a minimum, reflects the parking requirement for which it was originally approved.

20.32.250 – Building code compliance.

The owner seeking conversion shall file a request with the Building and Safety Bureau for a special code compliance inspection. The report from such inspection of all units to be converted must be received by the Planning Bureau before an application for a tentative map for a conversion is considered complete. Such report shall list all violations relating to the applicable requirements in Title 18 of the Long Beach Municipal Code which may cause health or safety hazards as determined by the Building and Safety Bureau.

The subdivider shall correct all listed violations prior to approval of the final map.

Such fees as are established by City Council resolution shall be paid for the inspection and for any subsequent inspection as is necessary to ensure that corrections have been completed.

20.32.260 – Major system corrections.

The owner shall submit with the application for tentative map approval for conversion, inspection reports from State licensed contractors for the heating and plumbing systems of the project, as well as reports for an inspection of the roof and an inspection for termites. All such inspections shall have been conducted within three (3) months prior to the submittal of the tentative map. Any corrections or

repairs recommended as reasonably necessary within the next five (5) years shall be provided for prior to approval of the final map.

23.32.265 – Exemptions

For exceptions, see Article 5 of this Chapter.

ARTICLE 4. – MIXED USE CONVERSIONS.

20.32.510 – Conversions.

In any project in which conversion to mixed residential unit use and commercial/industrial use is proposed, the applicable provisions of Articles 2 and 3, as determined by the City shall apply to the use proposed for each of the individual units.

ARTICLE 5 - EXCEPTIONS AND SPECIAL REQUIREMENTS

20.32.520 – Exceptions.

Generally, exceptions to any of the requirements of this Chapter 20.32 may be granted, provided that the exception will not be inconsistent with General Plan, the intent of this Chapter 20.32 or the intent of specific provisions being exempted, and based on written findings of fact in the record that support this conclusion.

20.32.530 – Exceptions—Conversions to limited equity cooperatives.

Conversion of a residential rental project to limited equity cooperatives may be excepted from the requirements of Sections 20.32.110, 20.32.130, 20.32.140, 20.32.150, 20.32.160.D, 20.32.170. Sections 20.32.070 and 20.32.080 may also be excepted for any tenant wishing to become a member of the cooperative.

20.32.540 – Exceptions—Conversions of community apartment or stock cooperatives to condominiums.

Conversion of an existing community apartment or a stock cooperative, which was established prior to August 4, 1978, to a residential condominium may be excepted from the requirements of Sections 20.32.110, 20.32.130, 20.32.140, 20.32.150, 20.32.160.A, 20.32.160.D, and 20.32.170.

20.32.550 – Special requirements—Conversion of a stock cooperative or a community apartment project to a condominium.

A stock cooperative or a community apartment project shall not be converted to a condominium, unless the required number of owners in the project, as specified in the bylaws or other documents, have voted in favor of such conversion. If no documents expressly specify the number of votes required to approve such a conversion, a majority vote of the owners in the project shall be required.

ARTICLE 6. – DISCLOSURE OF PRIOR OCCUPANCY STATUS

20.32.680 – Purpose.

Any buyer of a unit of multi-family housing is making a substantial personal investment. As buildings being offered for sale may vary substantially in quality and that variation may not be apparent, each buyer should be provided some items of background on the building prior to committing to purchase.

20.32.690 – Disclosure.

Any person selling a unit in a building converted to a form of multiple ownership under the provisions of Chapter 20.32, or any person representing or acting on behalf of a person selling a unit in such building shall disclose to anyone intending to buy such unit by means of inclusion in the conditions, covenants and restrictions applying to the building the following items of information:

A. The date the building was built (date of final building inspection or original certificate of occupancy);

B. The form of ownership of the building prior to conversion under Chapter 20.32 (rental, community apartment, stock cooperative, limited equity cooperative, or condominium) together with a description as to how that form of ownership differs from the one under which the units are offered for sale; and

C. A full listing of the building improvement requirements required for conversion. Any exceptions to the standards of Sections 20.32.090-20.32.160, including those granted in Section 20.32.530 or 20.32.540, which have been granted to the project shall be listed separately and clearly indicate that such improvements have not been made to the building. All improvement requirements shall be fully described and not referenced only by the Municipal Code section.

CHAPTER 20.34 – SUBDIVISION OF A MOBILEHOME PARK

ARTICLE 1. – CONVERSION TO ANOTHER USE

20.34.010 – Change of use.

As used in this Chapter 20.34, change of use shall mean a change from use as a mobilehome park to any other residential or nonresidential use. Consistent with guidance from Government Code Section 65915(c) (3) (A), the new development shall replace existing on-site mobilehome units affordable to lower-income households with new housing options at a one-to-one ratio.

20.34.020 – Impact report.

At the time of filing a tentative tract or parcel map for a subdivision to be created from the conversion of a mobilehome park to another use, the subdivider shall also file a report on the impact of the conversion upon the displaced residents of the mobilehome park to be converted. In determining the impact of the conversion on displaced mobilehome park residents, the report shall address the availability of adequate replacement space in mobilehome parks. The following information shall be included in the required Conversion Impact Report:

A. Legal description of the property and description of the proposed use to replace the mobilehome park.
B. Schedule for the mobilehome park conversion.
C. Total number of spaces in the mobilehome park and current rental rate for each space, and if the park owns the mobilehome unit on the site, the combined rental rate for the units and the space.
D. Names and addresses of all residents and whether or not the mobilehome park is their primary place of residence.
E. Manufacturer date, size, length of occupancy, and the appraised fair market value of each mobilehome located in the park not owned by the mobilehome park. The appraisal shall be performed by a professional appraiser.
F. Estimates from a moving company for tear down and set up costs for displaced tenants to move their mobilehome to a new park.
G. Itemized list of available mobilehome spaces within a 20-mile radius for displaced residents to relocate to.
H. Completed pre-conversion questionnaire.

20.34.030 – Impact report available to residents of the mobilehome.

The subdivider shall be responsible for delivering a copy of the impact report to each resident of a mobilehome within the project at least thirty (30) days prior scheduling the tentative map before the Planning Commission for a public hearing date. The subdivider shall provide evidence to the City that impact reports were delivered and received by each residents for the public record.

20.34.040 – Impact mitigation requirements.

A. In reviewing the proposed subdivision, the Planning Commission shall be required to:

    1. Take steps to mitigate any significant impact by rezoning another site or sites for additional replacement of mobilehome park housing;

2. Find that there already exists land zoned for replacement housing or adequate space in other mobilehome parks for those residents who will be placed; or

3. Require the subdivider to take steps to mitigate any significant adverse impact of the conversion on the ability of displaced mobilehome park residents to find adequate space in a mobilehome park; and

4. Require the subdivider to provide for the full cost of moving the mobilehome to a new location of the mobilehome owner's choice or purchase the mobilehome from the mobilehome owner at fair market value. Fair market value shall be determined by an appraisal by a licensed appraiser or realtor acceptable to both the subdivider and mobilehome owner. The provision of moving expenses or purchase shall be the choice of the mobilehome owner, provided that relocation expenses shall not exceed the fair market value of the mobilehome. The provisions contained in this subsection shall not apply to a mobilehome owned by the landowner.

20.34.050 – Termination of tenancy.

A. After approval of a tentative map, the mobilehome park owner shall give each resident a minimum of twelve (12) months' notice of the termination of tenancy.

B. Such notice shall disclose and describe in detail the nature of the change of use and relocation assistance and benefits that will be available to that tenant.

C. Such notice shall be delivered by a certified mail and receipts of this notification by each resident shall be furnished to the Community Development Department.

20.34.060 – New resident disclosure.

Any person, who locates a mobilehome or rents/leases a mobilehome in a mobilehome park for which a request for a change of use has been filed, shall receive written notice of the proposed change of use before any contract or lease agreement is executed.

ARTICLE 2. – CONVERSION OF A MOBILEHOME PARK TO A CONDOMINIUM, COMMUNITY APARTMENT OR STOCK COOPERATIVE

20.34.070 – Applicable conversion regulations.

Where an existing mobilehome park is being converted into a mobilehome condominium, community apartment or stock cooperative, the provision for condominium conversions set forth in Chapter 20.32 shall apply, except:

A. The minimum termination of tenancy shall be twelve (12) months; and

B. Neither the maximum amount of moving expenses provided by Section 20.32.070 nor special displacement benefits shall apply, and the full cost of relocation shall be provided by the mobile home park owner.

ARTICLE 3. – SUBDIVISION OF AN EXISTING MOBILEHOME PARK TO CREATE INDIVIDUAL OWNERSHIP LOTS

20.34.080 – Right of first refusal.

Upon the subdivision of the existing mobilehome park, any park resident who had established residency in the mobilehome park as of the date of the issuance of a subdivision public report from the

Department of Real Estate shall have a right of first refusal to purchase the lot upon which the tenants mobilehome is located for a period of twelve (12) months from the date of issuance of the subdivision public report. The price to be paid by such existing resident for the lot under the tenants mobilehome shall be the initial offering price for that lot during the twelve (12) month right of first refusal period.

20.34.090 – Lifetime leases.

Lifetime leases for the occupied lots shall be offered to mobilehome owners who elect neither to purchase their site nor to relocate. The right to enter into a lifetime lease shall expire no earlier than the period of twelve (12) months from the date of issuance of the subdivision public report issued by the Department of Real Estate. All lifetime leases shall include the following conditions:

A. Mobilehome owners shall have the option of canceling the lease at any time upon thirty (30) days written notice to the mobilehome park owners.

B. Mobilehome owners cannot be evicted except pursuant to Article 6 of the State Mobilehome Residency Law, Civil Code Section 798.55 et seq.

C. Terms and conditions of the lifetime lot lease shall be the same as those contained in the current lease or rental agreement for the mobilehome space.

D. To avoid economic displacement of all non-purchasing residents, any rent increases shall comply with Section 66427.5(f) of the California Government Code.

20.34.100 – Compliance with State law.

The subdivider of the mobilehome park shall comply with all applicable State and local laws in effect at the time of the subdivision and shall have given all required notices to the existing and incoming park residents during the subdivision process, including:

A. The subdivider shall offer each existing tenant an option to either purchase the condominium or subdivided unit, which is to be created by the conversion of the park to resident ownership, or to continue residency as a tenant.

B. The subdivider shall file a report on the impact of the conversion upon residents of the mobile home park to be converted to resident owned subdivided interest.

C. The subdivider shall make a copy of the report available to each resident of the mobilehome park at least thirty (30) days prior to the hearing on the map by the hearing body.

D. Survey of residents is required:

1. The subdivider shall obtain a survey of support of residents of the mobilehome park for the proposed conversion.

2. The survey of support shall be conducted in accordance with an agreement between the subdivider and a resident homeowners' association, if any, that is independent of the subdivider or mobilehome park owner.

3. The survey shall be obtained pursuant to a written ballot.

4. The survey shall be conducted so that each occupied mobilehome space has one vote.

5. The results of the survey shall be submitted to the Community Development Department upon the filing of the tentative tract or parcel map, to be considered in the hearing as to whether to approve, conditionally approve, or disapprove the map, and the hearing body

may disapprove the map if it finds that the results of the survey have not demonstrated the support of at least a majority of the park's homeowners.

E. The subdivider shall be subject to a hearing. The scope of the hearing shall be limited to the issue of compliance with this section. The hearing body may approve, conditionally approve, or disapprove the map.

F. The subdivider shall be required to avoid the economic displacement of all non-purchasing residents in accordance with the following:

1. As to non-purchasing residents who are not lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any pre-conversion amenities, may increase from the pre-conversion rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over a four-year period.

2. As to non-purchasing residents who are lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any pre-conversion amenities, may increase from the pre-conversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion, except that in no event shall the monthly rent be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period.

20.34.110 – Infrastructure facilities survey required.

Prior to approval of the final map, the applicant and/or successors shall provide the City, and all purchasers, with a copy of an infrastructure facilities survey to be conducted by a qualified firm approved by the Community Development Department. The survey shall indicate the life expectancy of the infrastructure (including, but not limited to, sewer, water, gas, electric, streets and common areas) and a replacement strategy for aging infrastructure including a financing strategy. Condition assessment shall include video inspection of sewer pipelines and repair history of all underground facilities, and shall indicate existing deficiencies. If the survey identifies deficiencies, the applicant and/or successors shall repair the deficiencies to comply with applicable health and safety requirements. Nothing in this ordinance shall obligate the Long Beach Water Department to take over the ownership or maintenance of existing private water or sewer systems.

CHAPTER 20.36 – DEFINITIONS[2]

Footnotes:

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State Law reference— Statutory authority definitions contained in the Subdivision Map Act, Gov. Code § 66414.

20.36.010 - Generally.

A. Whenever any words or phrases used in these regulations are not defined in this Section but are defined elsewhere in the Subdivision Map Act or other regulation of the City, such definitions shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention.

B. For purposes of these regulations, the following words and phrases shall be construed as defined in this Section.

20.36.015 – Advisory agency.

The official body or designated official having the authority by local ordinance to approve, conditionally approve, or disapprove tentative maps and other subdivision related proceedings., Depending on the type of map or related subdivision request, this includes the Community Development Director, the Director of Public Works, the Zoning Administrator, the Planning Commission, and the City Council.

20. 36.020 – Airspace subdivision.

"Airspace subdivision" is a three-dimensional subdivision of the space above or below a lot, or partially above and below a lot, having finite width, length, and upper and lower elevations, occupied by a building or portion thereof. Airspace subdivisions divide property ownership into three-dimensional spaces, often stacked upon one another. An airspace subdivision differs from a common interest subdivision development in that the owners of the airspace lots are not required to share interest in a common area within the map boundaries.

20.36.025 – Certificate of compliance.

A certificate prepared and recorded by the City which indicates that the division of certain real property complies with applicable provisions of the Subdivision Regulations and the Subdivision Map Act in cases where there is no adequate public record that a parcel of land was legally created. A recorded certificate of compliance completes the public record that the parcel is recognized as a separate legal parcel.

20.36.030 – Common interest subdivision.

"Common interest subdivision" includes subdivided land which includes a separate interest in real property combined with an interest in common with others. Common interest subdivisions include community apartments, condominium projects, planned developments and stock cooperatives consistent with the Davis-Stirling Common Interest Development Act.

20.36.035– Community apartment.

A community apartment is a project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any apartment located therein as defined in Section 4104 of the California Civil Code and referenced in Section 11004 of the California Business and Professions Code.

20.36.040 – Condominium.

An estate in real property consisting of an undivided interest in common in a portion of a real property together with a separate interest in airspace in a residential, industrial, or commercial building on such real property. A condominium, may include, in addition, a separate interest in other portions of such real property as defined in Section 4125 of the California Civil Code.

20.36.045 – Condominium plan.

A description of a survey map of a condominium project which refers to monumentation of the ground. A condominium plan is also a three-dimensional description of a condominium project, one or more dimensions of which may extended for an indefinite distance upwards or downwards, in sufficient detail to identify the common areas and each separate interest.

Conversion Definitions (terms used in Chapter 20.32).

A. "Conversion project, residential unit use to residential unit use" means an existing multi-family residential rental property used exclusively for residential purposes, proposed for conversion to a residential condominium, residential stock cooperative, or community apartment project to be used exclusively for residential purposes, through recordation of a tract or parcel map.

B. "Conversion project, commercial/industrial use to commercial/industrial use" means an existing commercial or industrial property used exclusively for commercial purposes or for manufacturing or other industrial activities, proposed for conversion to a condominium or stock cooperative which is to be used exclusively for commercial or industrial purposes through recordation of a tract or parcel map.

C. "Conversion project, residential unit use to commercial/industrial use" means an existing multi-family residential rental property used exclusively for residential purposes, proposed for conversion to a condominium or stock cooperative, other than a residential condominium or residential stock cooperative, which is to be used exclusively for commercial or industrial purposes, through recordation of a tract or parcel map.

D. "Conversion project, commercial/industrial use to residential unit use" means an existing commercial or industrial property used exclusively for commercial purposes or for manufacturing or other industrial activity, proposed for conversion to a residential condominium, residential stock cooperative or community apartment to be used exclusively for residential purposes through recordation of a tract or parcel map.

E. "Existing building" means a building that a certificate of occupancy has been issued prior to filing of a tentative map.

F. "Median rent" means that rent or one-forty-eighth of median income as established by the United States Department of Housing and Urban Development or as recognized by the California Department of Housing and Community Development for the statistical unit for which Long Beach is a part for the most recent time period available.

G. "Multi-family" means any building or complex of buildings containing two (2) or more dwelling units.

H. "Owner" means the owner of any rental project and any person or persons acting in behalf of and with the consent of the owner.

I. "Project" means the building or building complex being converted.

J. "Tenant" means a person or family occupying a dwelling unit; or a person(s) or a firm operating commercial or industrial activities with the permission of the property owner (or a manager authorized to grant permission to occupy a rental property) by a rental or lease agreement.

20.36.050 - Contiguous parcels.

Contiguous parcels refer to a lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land. If lots are part of a subdivision, they are considered contiguous even if separated by roads, streets, utility easements, or railroad rights-of-way.

20.36.055 - Covenants, Conditions & Restrictions (CC&Rs).

“Covenants, Conditions & Restrictions (CC&Rs)” is a legal document that is filed with the County Clerk-Recorder and made an official part of the real estate records that run with the land. The CC&Rs provide the power and legal authority to form a homeowner’s association and administer and enforce rules on a group of homes or condominium complex. When living in a home or condominium that is restricted by CC&Rs, an owner agrees to certain additional restrictions to be part of a shared community. For example, most homeowner associations have smoking restrictions, parking and noise level rules, aesthetic guidelines, and development restrictions on changes to units.

20.36.060 – Dedication.

“Dedication” is a transfer of land by its owner to public ownership, to be used for public purpose.

20.36.065 – Drainage facility.

“Drainage facility” means any device or structure which may be used to control the flow of water, including but not limited to, pipes, ditches, berms, channels, gutters, curbs, walls, pavement, and appurtenant safety devices.

20.36.070 – Environmental clearance.

An environmental review procedure processed in accordance with the applicable guidelines and procedures pursuant to the California Environmental Quality Act.

20.36.075 – Parcel map.

A parcel map involving a subdivision of four (4) or fewer parcels is the recording instrument for all subdivisions for which a (tentative) parcel map is required unless waived as provided in these subdivision regulations. Certain project types listed in Section 20.06.020 A. may be processed with a tentative and parcel map rather than a final/tract map regardless of the number of lots proposed.

20.36.080 – Final tract map.

A final tract map is the recording instrument for a tract map involving a subdivision of five (5) or more lots, or five (5) or more condominium, community apartment, to stock cooperative units, prepared pursuant to these regulations and applicable provisions of the Subdivision Map Act for recordation in the office of the County Recorder.

20.36.085 – Flag lot.

"Flag lot" means a lot predominantly situated behind another lot and having access to a street by means of a narrow portion of the flag lot extending out to the street. Flag lots have a general configuration in the shape of an "L".

20.36.090 – Freeway regional corridor.

Regional corridors emphasize traffic movement and are designed for intraregional and intercommunity mobility with limited access points. These linkages are designed to serve multiple types of modes of transportation and discourage on-street parking. A divided highway for through traffic with full control of access and with grade separations at intersections and declared to be such in compliance with the California Streets and Highways Code.

20.36.095 – Frontage road or service road.

A street lying adjacent and approximately parallel to and separated from a freeway or regional corridor and which affords direct access to abutting properties.

20.36.100 – Geological hazard.

A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to the movement, failure, or shifting of earth.

20.36.105 –Illegal lots.

Illegal lots refer to remnant parcels that were not originally created legally through a recorded map procedure consistent with the State of California Subdivision Map Act and applicable City Subdivision Ordinance. These remnant parcels are often nonconforming in terms of meeting lot area and other dimensional requirements such as lot width and length.

20.36.110 – Land surveyor.

A land surveyor is any person who is authorized to practice land surveying and is licensed by the State of California

20.36.120 – Lease, building.

The right to occupy and use a building or portion of a building for a designated term. It often contains a right to use common parking or other facilities on the same or adjacent parcels.

20.36.125 – Lease, ground.

The right to occupy and use a parcel of land, or a portion thereof, with or without a building or buildings on it for a designated term. It usually contains all parking and other facilities within the lease area. A division of land for purposes of leasing is a subdivision as defined in these regulations.

20.36.130 – Limited equity housing cooperative or a workforce housing cooperative trust.

A form of stock cooperative where the ownership corporation is a nonprofit corporation established with state or federal financial assistance as defined in Section 1103.4 of the California Business and Professions Code, and also meets the criteria of Section 11003.2 and Sections 817 and 817.1 of the Civil Code, as applicable.

20.36.135 – Lot, legal.

A parcel of land, the boundaries of which have been established in conformance with the State Subdivision Map Act and these regulations, and is identified on a recorded parcel map or final/tract map, a record of survey in accordance with the applicable laws, or a certificate of compliance approved by the City and recorded with the Los Angeles County Recorder.

20.36.140 – Lot area.

"Lot area" means the total horizontal area within the lot lines of a lot typically expressed in square feet or acres. Land area displayed in acreage shall be shown to three decimal places.

20.36.145 – Lot area, net

Net area is the total area within the property lines of the development site, excluding the following:

1. Street rights-of-way;
2. Easements for flood control;
3. Water areas such as Alamitos Bay or Los Cerritos Channel.

20.36.150 – Lot line adjustment.

An adjustment of the boundary between four (4) or fewer adjacent legal lots where the land taken from one (1) lot is added to an adjacent lot, and where a greater number of lots than originally existed is not thereby created.

Multiple lot line adjustments submitted sequentially or concurrently, when five or more parcels exist, circumventing the Subdivision Map Act will not be allowed. A subdivision map will be required in these instances.

20.36.155 – Merger.

In accordance with Subdivision Map Act Section 66499.20.3, the consolidation of two (2) or more contiguous recorded lots into a single parcel.

Multiple mergers submitted sequentially or concurrently, when five or more parcels exist, circumventing the Subdivision Map Act will not be allowed. A subdivision map will be required in these instances.

20.36.160 – Model home.

A residential unit erected in a proposed project which is temporarily used as a sales office and example of housing floor plan finishes.

20.36.170 – Monument.

Monument," sometimes referred to as **"**survey monument," is a durable, permanent marker set by a land surveyor to mark or reference a point on a property or land line which is permanently marked or tagged with the certificate number of the land surveyor setting it.

20.36.175 – Owner.

Any person, persons, corporation or other legal entity who is the owner of record with the Los Angeles County Recorder's office. Also any person or persons acting with the authorization of the owner on behalf of the owner.

20.36.180 – Own your own.

"Own your own" colloquial form of common interest (see Section 20.36.030).

21.36.185 – Parcel.

"Parcel" is created by a parcel map. A lot is created by a lot line adjustment or final/tract map. Lettered lots are for nonbuilding sites.

20.36.190 – Parcel map.

A map showing a subdivision for which a tentative or final tract map is not required which is prepared in accordance with these regulations and with applicable provisions of the Subdivision Map Act, for recordation in the office of the County Recorder.

20.36.200 – Plat map.

"Plat map" is a document drawn to scale, prepared by a Licensed Surveyor of qualified Engineer, showing the divisions of a piece of land. The plat map is the graphical representation of the legal description. The plat map is recorded as an Exhibit B with the legal description, Exhibit A. The plat map gives the legal description of pieces of real property, lot, street, and block number. The map shows the land subdivided into lots showing the location and boundaries of individual parcels with the streets, alleys, easements. The plat map shall be based upon a field survey. Boundary location and determination is the practice of land surveying according to Section 8726 of the California Business and Professions Code and as such, plat maps must include the signature and seal of a licensed land surveyor pursuant to Section 8761(d) of the California Business and Professions Code. Boundaries shown on plat maps that are not previously shown on a subdivision map, record of survey or official map must have a record of survey filed pursuant to Section 8762 of the California Business and Professions Code.

Plat maps, as part of a conveyance document, must be accompanied by a written legal description. Plat maps will not be accepted for recordation without a legal description.

20.36.205 - Planned development.

"Planned development" means a real property development other than a community apartment project, a condominium project, or a stock cooperative where a separate interest is created in a lot, parcel, area, or space and may have the following features:

A. Common area that is owned either by an association or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area.

B. Common area and an association that maintains the common area with the power to levy assessments that may become a lien upon the separate interests in accordance with Civil Code Section 5650 (a).

C. Planned development subdivisions often are developed in conjunction with a Planned Unit Zoning Process to tailor property development standards for the unique characteristics of the project (see Section 21.31.300 of the Zoning Regulations).

20.36.210 - Public Resources.

"Public Resources" refers to the natural systems and features in the community that provide environmental benefits to residents. These natural systems and features include geographical, biological, geological, and other resources, and encompass elements including air and water quality,

wildlife habitat, scenic and agricultural lands, watersheds, Native American scared lands, and historic features. It is the goal of the California Environmental Quality Act (CEQA) to evaluate the impacts of new projects on these public resources.

20.36.220. – Qualified subdivision map preparer.

A qualified subdivision map preparer is either a California registered civil engineer or a licensed land surveyor who is legally allowed to prepare subdivision related maps. Civil engineers with licenses prior to January 1, 1982 (with a license number before 33966) are authorized to practice all land surveying and engineering surveying.

20.36.225 – Reservation.

A reservation is a portion of the acreage of a subdivision that is reserved for public use; not applicable to alley widening or widening of abutting streets which are not designated as highways.

20.36.230 – Revised tentative map.

A tentative map showing a revised arrangement of the streets, alleys, easements or lots, or a modification of the boundary of the property for which a tentative map was previously approved by the City.

20.36.235 – Right-of Way.

"Right-of-way" means any easement or land owned by the City and used or designated for use as a street, parkway, alley, utility corridor, walkway, promenade, or bike path, and the surfaces thereof, and includes any right-of-way to be dedicated in the future.

20.36.240 – Sidewalk.

A paved surface or leveled area separated from the street and used as a pedestrian walkway. Public sidewalks are typically located along streets, within the right-of-way or easement, separated by a curb, planter, or both from the street, and designated for preferential use by pedestrians.

20.36.243 – Sequentially.

Sequentially is defined as any readjustment or merger of a parcel which had been previously adjusted or merged in the past five years.

20.36.245 – Site Plan.

An exhibit depicting the existing and proposed conditions of a property. The site plan shall be consistent with the current California Building Code Section 107.2.5 stating a site plan shall have an accurate boundary. Boundary location and determination is the practice of land surveying according to Section 8726 of the California Business and Professions Code and as such, site plans must include the signature and seal of a licensed land surveyor pursuant to Section 8761(d) of the California Business and Professions Code. Boundaries shown on site plans that are not previously shown on a subdivision map, record of survey or official map must have a record of survey filed pursuant to Section 8762 of the California Business and Professions Code. Site plans shall include the information set forth in Section 20.24.030.

20.36.247 - Special flood hazard area.

An area having special flood, mudflow or flood-related erosion hazards and shown on a Flood Hazard Boundary Map (FHBM) or a Flood Insurance Rate Map.

20.36.250 – Stock cooperative.

A stock cooperative is a corporation as defined in Section 11003.2 of the California Business and Professions Code formed or utilized primarily for the purpose of holding title to improve real property in which all or substantially all shareholders have a right of exclusive occupancy of a portion of the real property, which right is transferable only with the transfer of shares of stock in the corporation.

20.36.260 – Street.

"Street" means a way for vehicular traffic, whether designated as a street, highway, road, avenue, boulevard, lane, place, way, or other name. "Street" does not include a path or alley. Unless otherwise indicated, the term street shall refer to both public and private streets. Public streets are forms of right-of-way.

20.36.265 – Subdivider.

A person, firm, corporation, partnership or association who proposes to divide, divides, or causes to be divided real property into a subdivision for the subdivider or for others.

20.36.270 – Subdivision.

Any improved or unimproved real property, or any portion thereof, shown on the latest section map of the City of Long Beach as a unit or as contiguous units, which is divided into two (2) or more lots for the purpose of sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easements, or railroad rights-of-way. Any conveyance of land to a governmental agency, public entity, or public utility shall not be considered a division of land for purposes of computing the number of parcels. Subdivision includes a condominium project, a community apartment project, or the conversion of five (5) or more existing dwelling units to a stock cooperative.

20.36.273 – Subdivision Map Act.

The Subdivision Map Act of the State of California, Section 66410 et seq., Division 2 of Title 7 of the California Government Code or as hereafter amended.

20.36.275 – Surveyor.

“Surveyor” is used synonymously with land surveyor.

20.36.280 – Tentative map.

A map prepared in accordance with the provisions of these regulations and the applicable provisions of the Subdivision Map Act for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it. Such map need not be based on an accurate or detailed final survey of the property. A tentative map shall be required prior to the approval of a final tract or parcel map.

20.36.285 – Tract map.

Generally, a tentative map for the subdivision of a parcel, site, or piece of land into five or more lots or units, unless any of the circumstances described in Section 20.06.020 (A). apply where the subdivision can be accommodated with a parcel map.

20.36.290 – Traffic-control devices.

Traffic-control devices are signs, signals, pavement markings, and other officially authorized devices.

20.36.295 – Unit.

A unit consists of a separate interest in a space defined in a condominium plan which may consist of air, earth, or water (example includes parking space, space in a marina and mobile home park space) in combination with an undivided interest in common areas established in a condominium.

20.36.300 – Vacation.

The complete or partial abandonment or termination of the public right to use a street, highway, or public service easement.

20.36.305 – Vesting tentative map.

A vesting tentative map is similar to regular Tentative Maps except that the approval confers a vested right to proceed with development in substantial compliance with the ordinance, policies, and standards in effect at the time the vesting map application is deemed complete per Government Code Section 65493.

20.36.310 – Waived Parcel Map.

A parcel map with a waiver of a tentative map (no bonds, must be monumented prior to approval). A certificate of compliance shall be recorded with the map.

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)
CITY OF LONG BEACH)

Alyssa Campos being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 22nd day of December 2023, I posted three true and correct copies of Ordinance No. ORD-23-0051 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the lobby of City Hall in front of the Civic Chambers; one of said copies in the Billie Jean King Main Library; and one of said copies on the front counter of the City Clerk Department.

Alyssa Campos

Subscribed and sworn to before me
This 22n day of December 2023.

CITY CLERK