



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES PLANNING BUREAU  
333 West Ocean Blvd., Long Beach, CA 90802 Fax: (562) 570.6068

## NOTICE OF PUBLIC HEARING PLANNING COMMISSION

Application Number: 1902-10 (ZCA19-002, LCPA19-002) Application Filed on: 07-02-2018

Project Location: Citywide, Long Beach, CA

Project Applicant: City of Long Beach, Long Beach Development Services

Approval(s) Requested: Zoning Code Amendment

**Proposed Project:** The proposed Omnibus Zoning Code Amendment (ZCA19-002) would consist of changes to Title 21 of the Long Beach Municipal Code (Zoning Ordinance) to: 1) Define the standing required and timeline for land use decision appeals; 2) update the definition for townhomes and eliminate zoning restrictions on side-by-side units; 3) update the commercial zones sections of the code to strike out references to commercial districts no longer in use; 4) eliminate size restrictions for single-family garages and update lot coverage and floor area calculations in single-family districts; 5) update roofing material requirements for residential districts; 6) revise screening requirements for mechanical equipment in low-density residential districts; 7) provide guidelines to determine curb cut closures and require underground utilities in new projects; 8) update school siting requirements to reflect the City's adopted Mobility Element; and 9) eliminate zoning code restriction on maximum number of zoning regulation amendments per year.

**Environmental Review:** Pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, a Negative Declaration (ND) has been prepared for the project and finds that the project would not have any potential significant adverse environmental impacts. The ND (04-19) was circulated for a 30-day public review period between February 19, 2019 and March 21, 2019. The Initial Study and the Negative Declaration are on file and are available by visiting the City's Environmental Reports page at [http://www.lbds.info/planning/environmental\\_planning/environmental\\_reports.asp](http://www.lbds.info/planning/environmental_planning/environmental_reports.asp)

This Zone Code Amendment effects the implementing plan of the Local Coastal Program and is subject to certification by the California Coastal Commission.

The Planning Commission will hear this item at the meeting detailed below:

Meeting Date: March 21, 2019  
Meeting Time: 5:00 PM  
Meeting Place: 1<sup>st</sup> Floor City Council Chamber, City Hall  
333 West Ocean Boulevard, Long Beach, CA

For more information, contact Alejandro Sanchez-Lopez, Project Planner, at [Alejandro.Sanchez-Lopez@longbeach.gov](mailto:Alejandro.Sanchez-Lopez@longbeach.gov) or (562) 570-6553.

*This is your opportunity to voice your opinion regarding the proposed permit. To establish "AGGRIEVED" status (leading to a right to appeal) you must present oral or written testimony at this hearing; otherwise, you may not appeal this project. For information on presenting written testimony, please see reverse side.*

*Hearing/Meeting Procedures: Project Planner will present the project. After taking public oral or written testimony in support and opposition, a decision may be rendered.*

*"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 Planning Commission at or prior to the public hearing."*

**AGGRIEVED APPEAL:** APPEALS INFORMATION IS CONTAINED ON THE REVERSE SIDE OF THIS FORM.

District: Citywide

To view and download the meeting agenda: <http://www.lbds.info/>

### **PROCEDURES FOR PRESENTING WRITTEN TESTIMONY TO THE PLANNING COMMISSION**

In order to have written material included in the Planning Commissioners' mailed Agenda Packet, twelve (12) copies of the material must be delivered to Development Services, Planning Bureau, no later than ten (10) calendar days before the date of the Planning Commission Hearing. Written material that is presented to the Planning Commission after this date and up to 1:00 p.m. the day of the Planning Commission Hearing, will be included in the Commissioners' Agenda folder. Material presented to the Commission at the Hearing will be part of the record.

### **APPEALS TO THE COASTAL COMMISSION**

All actions on local coastal development permits seaward of the appealable area boundary may be appealed by any aggrieved person to the Coastal Commission according to the procedures of the Coastal Commission, provided that all local appeals have been exhausted and no fee was charged the appellant for such appeal, by filing such appeal at the Coastal Commission offices, 200 Oceangate, 10<sup>th</sup> Floor, Long Beach, CA 90802-4302.

### **LONG BEACH DEVELOPMENT SERVICES**

333 W. Ocean Blvd., Fifth Floor

Long Beach, CA 90802

DVPLENTITLE

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### **OFFICIAL PUBLIC NOTICE**

### **APPEALS TO THE CITY COUNCIL**

- A. Any aggrieved person may appeal a decision on a project that required a public hearing.
- B. An appeal must be filed within ten (10) calendar days after decision.
- C. An appeal shall be filed with Long Beach Development Services on a form provided by that Department.
- D. A public hearing on an appeal shall be held within sixty (60) calendar days after Long Beach Development Services receives a completed appeal form or after the City Clerk receives the appeal from the Long Beach Development Services.
- E. A notice of the public hearing on the appeal shall be mailed by Long Beach Development Services to the applicant, all persons entitled to mailed notice, and any known aggrieved person not less than fourteen (14) calendar days prior to the hearing.
- F. The City Council shall have jurisdiction on appeals from the Planning Commission.
- G. Except for appeals to the Coastal Commission for projects located seaward of the appealable area boundary and appeals to the City Council of local coastal development permits on developments regulated under the City's Oil Code, there shall be no further appeals after a decision on an appeal.
- H. You are hereby provided notice that the time within which judicial review of the herein reported decision must be sought is governed by Section 1094.6 of the California Code of Civil Procedure.

**Red text** indicates new text; ~~strikethrough red text~~ indicates text to be deleted

### **Proposed changes to Chapter 21.21 Administrative Procedures**

21.21.501 - Authorization and jurisdiction.

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

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

21.21.504 - Time for conducting hearing of appeals.

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

21.25.101 - Zone changes and zoning regulation amendments

~~C. Frequency of Amendment. The Zoning Regulations may be amended three (3) times per year and may be amended more frequently with the consent of the City Council as expressed by a vote of two-thirds (2/3) of the members voting thereon. More than one (1) revision, or the revision of more than one (1) chapter, division, subdivision or Section of this Title, may be considered as a part of each such amendment.~~

### **Proposed changes to Chapter 21.15 Definitions**

21.15.3060 - Townhouse.

"Townhouse" means a dwelling unit with one (1) or two (2) common walls, and which has direct exterior access, private yards and no common floors or ceilings with other units including residential projects with two or more side-by-side unit.

### **Proposed changes to Chapter 21.31 – Residential Districts**

21.31.225 - Lot coverage.

Lot coverage shall conform to the standards specified in Table 31-2. The actual garage area up to four hundred (400) square feet per unit, and up to ~~six~~ seven

hundred (~~6~~700) square feet for a single-family dwelling, shall be exempt from lot coverage.

21.31.235 - Floor area ratio.

C. Garages. The actual garage up to four hundred (400) square feet per unit and up to ~~six~~ seven hundred (~~6~~700) square feet for a single-family dwelling shall be excluded from the calculation of floor area. Floor area above the garage is not excluded.

21.31.255 - Design, treatment and finish.

F. Roof Material. No single-family dwelling shall have ~~metallic or metallic-looking~~ roofing materials ~~with a reflective surface that produces glare~~.

G. Siding. No single-family dwelling shall have ~~metallic or metallic-looking~~ siding ~~with a reflective surface that produces glare~~.

~~I. Side-By-Side Residential Units. Two-on-a-lot projects where the units are arranged side-by-side (see Section 21.15.2488) shall not be permitted in the R-2-N zone unless approved by the Planning Commission through site plan review.~~

21.31.265 - Mechanical equipment ~~screening~~ ~~screening on rooftops~~.

~~Except as otherwise specified by this Code or any applicable PD or Specific Plan, all exterior mechanical equipment on rooftops, except solar collectors, shall be screened by visually solid screening devices at least as high as the equipment as follows to improve aesthetic qualities and to prevent unauthorized access into a building. Equipment to be screened includes, but is not limited to, air conditioning and refrigeration equipment, duct work, heating, plumbing lines, , and utility meters and telecommunications equipment pursuant to the requirements of Chapter 21.56. Additional standards shall apply as follows to improve aesthetic qualities and to prevent unauthorized access into a building.~~

C. Materials and Design. ~~Screening materials shall, at a minimum, have evenly distributed openings or perforations not exceeding 50 percent of surface area. All screening devices shall be of a material requiring minimal maintenance. Wood generally shall not be used. All screening devices shall be well integrated into the design of the building through such items as parapet walls, false roofs or equipment rooms. Louvered designs are acceptable if consistent with building design style.~~

**Proposed changes to Chapter 21.32 – Commercial Districts**

<b>Table 30-1 Zoning Districts Established</b>		
<b>Use District Symbol</b>	<b>Use Classification</b>	<b>Chapter</b>
<del>CO</del>	<del>Office Commercial</del>	<del><u>21.32</u></del>
<del>CH</del>	<del>Highway Commercial</del>	<del><u>21.32</u></del>
<del>CT</del>	<del>Tourist and Entertainment Commercial</del>	<del><u>21.32</u></del>

**21.32.275 - Undergrounding of utilities**

A. All projects considered new development or rebuilds shall provide for the ability to connect the building to any future undergrounding of utilities that may occur in the block. Such provisions shall include a vacant duct to the appropriate feed point on the public right-of-way for the underground connection.

B. The utility company's design of the electric system, including locations and aesthetic treatment, shall be in accordance with the regulations of the Public Utilities Commission of the State of California.

C. All projects considered new development or rebuilds shall underground all overhead utility service to the site. In lieu of such undergrounding, the project developer may pay an in-lieu fee to the Department of Public Works for use in undergrounding within the applicable district. Such districts shall be established within one (1) year of the effective date of this Section and separate funds established for each district. The in-lieu fee shall be established based on the average per-foot cost of undergrounding established by the City Engineer and applied to the linear footage of the project site.

**Proposed changes to Chapter 21.32 – Off-Street Parking and Loading Requirements**

**21.41.253 - Parking areas—Curb cuts**

A curb cut clearance shall be obtained from the Public Works Department and shall be submitted with an application for a building permit. For any nonresidential use with more than a fifty (50) foot (50) frontage on a street, no curb cut shall be permitted within thirty-five feet (35') of an intersection. All unused curb cuts shall be replaced with a full height curb and gutter. For purposes of this section, "unused curb cut" shall mean any curb cut not used to access required parking that has been approved by the City. The Zoning Administrator may determine when an unused curb cut may remain when justified by existing conditions on the site, including but not limited to:

- A. Properties in Historic Districts
- B. Properties in Parking-Impacted Areas
- C. Properties with permitted Accessory Dwelling Units
- D. Properties with non-conforming uses

### **Proposed changes to Chapter 21.32 – Conditional Uses**

21.52.263 - ~~Private~~ Elementary and secondary schools.

The following conditions shall apply to private elementary and secondary schools:

A. Such facilities shall be located on a ~~major, secondary, or minor highway~~ Neighborhood Connector or Local Street as defined by the City of Long Beach Mobility Element;

B. Such facilities shall conform to the development standards of the district in which they are located including parking;

C. In a residential zone, the site shall be limited to forty thousand (40,000) square feet in size; and

D. An applicant seeking to convert an existing commercial building into school shall file a request with the Building Bureau for a special code compliance inspection. The report shall address all building code issues related to establishing a school in a commercial building. The report must be received by the Planning Bureau before an application for conditional use permit is considered complete.

E. The Zoning Administrator may approve an exception to the locational requirements in sub-section A based on the following findings:

- a. The total number of students, staff and visitors on the site at any one time shall not exceed 100, and;
- b. The applicant has submitted a plan for accommodating all pick-up and drop-off activity on the site; OR
- c. The applicant has established other trip reduction measures to ensure that the total number of daily trips to and from the site will not exceed the number of trips the Mobility Element has established for the street classification applicable to the site.