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ORDINANCE NO. ORD-06-0042

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING AND RESTATING THE LONG BEACH BOULEVARD PLANNED DEVELOPMENT DISTRICT (PD-29)

WHEREAS, the Planning Commission, at its hearing on July 20, 2006, reviewed the proposed amendment and recommended the City Council adopt same;

WHEREAS, the City Council, hereby finds that the proposed amendments to the Long Beach Boulevard Planned Development District (PD-29) will not adversely affect the character, livability or appropriate development of the surrounding properties and that the proposed amendments are consistent with the goals, objectives and provisions of the General Plan.

NOW, THEREFORE, the City Council of the City of Long Beach ordains as follows:

Section 1. The Long Beach Boulevard Planned Development District (PD-29) is hereby adopted and restated in its entirety as set forth in Exhibit "A", which exhibit is attached hereto and incorporated herein by this reference.

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

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of October 3, 2006, by the

LONG BEACH BOULEVARD PLANNED DEVELOPMENT DISTRICT (PD-29)

I. INTENT

The intent of PD-29 is to promote the economic and aesthetic revitalization of a distressed urban corridor. Generally, this corridor includes the property located along Long Beach Boulevard between Wardlow Road and 7th Street. Exhibit "A" shows the exact boundaries of this PD district. This ordinance is intended to encourage:

- A. Assemblage of small lots into sites large enough to ensure an appropriate level of economic utilization;
- B. Development of quality commercial, residential, institutional and light industrial projects which are compatible with viable neighboring uses;
- C. Types of uses and levels of intensity that will take advantage of the light rail service and augment the cost-effectiveness of that service; and
- D. A pattern of development that will enhance the physical and visual quality of the Boulevard, thereby contributing to its economic viability and the viability of the downtown and the City as a whole.

II. DEVELOPMENT REVIEW PROCEDURES

A. Procedures

The PD-29 area is unique in that there are two agencies, the Planning Bureau and the Redevelopment Agency, which play a role in reviewing and permitting development proposals.

In reviewing and approving development plans and discretionary permits in the PD area, the City Council, Planning Commission, Redevelopment Agency and/or Site Plan Review Committee shall be guided by the following:

- 1. The goals and policies of the General Plan;
- 2. The Redevelopment Plan;
- 3. The Redevelopment Agency Design Review Process;
- 4. The development and use standards set forth by the Planned Development Ordinance; and
- 5. The procedures, development and use standards set forth in Title 21 Zoning of the Long Beach Municipal Code.

B. Site Plan Review Process

1. Applicability.

Site Plan Review is required for all non-residential projects consisting of 1,000 square feet or more of new construction (including additions to existing buildings) and for residential projects consisting of 5 units or more of new construction.

C. Conditional and Administrative Use Permits

Divisions I and IV of Chapter 21.25 of the Long Beach Municipal Code establish the procedures for uses requiring a Conditional Use Permit or an Administrative Use Permit. In addition to the findings set forth in Division II & IV of Chapter 21.25 of the Long Beach Municipal Code, no Conditional Use Permits (CUP) or Administrative Use Permits (AP) shall be approved unless all of the following findings are made:

- 1. The use is consistent with the intent of the General Plan and Redevelopment Plan for this area, and is consistent with this PD ordinance;
- 2. The use is compatible with viable adjacent land uses and will not result in any significant negative impacts on surrounding properties;
- 3. The use supports neighborhood revitalization;
- 4. The site improvements will contribute to the streetscape or visual quality along the Long Beach Boulevard corridor; and
- 5. The use strengthens the economic base of the Long Beach Boulevard Planned Development District.

D. Appeal.

The applicant or aggrieved person may appeal any decision made by the Planning Commission, Site Plan Review Committee or Zoning Administrator. Such appeal shall be processed in accordance with provisions set forth by Division V of Chapter 21.21 of the Long Beach Municipal Code.

III. ESTABLISHING SUBAREAS WITHIN THE PD-29 DISTRICT

The following five subareas are established within the Long Beach Boulevard Planned Development District:

A. Subarea 1a –Area between Wardlow Road and the San Diego (405) Freeway. The intent for this subarea is to encourage the development of commercial uses that take advantage of the convenient freeway access, yet is compatible with

surrounding residential uses. Special design attention shall be provided along Elm Avenue. In-fill development is encouraged.

B. Subarea 1 (Memorial North) - Area between the 405 Freeway and 27th Street.

The intent for this subarea is to encourage the continued development of commercial and residential "medical support" uses, especially uses that are complimentary to the function of Memorial Medical Center. In-fill development with medical-related uses that are compatible with multiple family housing, and multiple family housing will be encouraged.

C. Subarea 2 (Willow Node) - Area between 27th Street and 25th Street.

The intent for this subarea is to encourage a high intensity retail commercial node which will serve as the northern development anchor of this corridor. Multifamily residential development is also encouraged because of the proximity to the light-rail station.

D. Subarea 3 (North Corridor) - Area between 25th Street and 21st Street.

The intent for this subarea is to allow small scale institutional and commercial uses, and multiple-family residential. Along the Boulevard frontage, quality multiple family residential uses and residentially-compatible commercial uses are encouraged.

E. Subarea 4 (Central Corridor) - Area between 21st Street and 14th Street.

The intent for this subarea is to encourage and increase employment opportunities by allowing more intense commercial and institutional uses, and clean light industrial uses. Appropriate buffers should be provided separating these uses from adjacent residential neighbors. In-fill development and residential land uses are also encouraged due to proximity to the light-rail stations.

F. Subarea 5 (St. Mary & Downtown Adjacent) - Area between 14th Street and 7th Street.

The intent for this subarea is to encourage a mix of living, shopping, and working opportunities. The Anaheim Node and St. Mary medical related commercial will serve as the southern development anchor of this corridor. Due to the proximity to the downtown, more dense and urban developments which consist of mixed uses should be encouraged. All projects should be designed to create the best possible environment for the pedestrian.

IV. LAND USES

A. Uses.

PD-29 Use Table (attached hereto as Exhibit "B") indicates the type of uses: permitted (Y), not permitted (N), permitted with a Conditional Use Permit (CUP), permitted with an Administrative Use Permit (AP), permitted as a temporary use (T), or permitted as an accessory use (A) in each subarea of the PD-29 district, subject to all development review and other procedures and conditions set forth for such uses in this ordinance.

B. Prohibited Uses

Any use not specified in the PD-29 Use Table of this Planned Development Ordinance shall be considered a prohibited use.

C. Temporary and Accessory Uses

Temporary and accessory uses are allowed in this PD area to the same extent as they are allowed by the Zoning Regulations for Commercial Districts.

D. Legal Non-Conforming Uses

Non-conforming uses may be continued in accordance with the "Nonconforming Use" provision of the Zoning Regulations (Chapter 21.27) except that nonconforming rights will be extended as follows:

In order to enhance the economic recovery of the Long Beach Boulevard Corridor and to avoid the loss of legal non-conforming use status because of prolonged abandonment resulting from economic hard-times, all nonconforming rights to a use existing on the effective date of this ordinance shall not be deemed lost if the use is abandoned for less than 24 months. This extension of rights shall be terminated on December 31, 1999.

Starting January 1, 2000, all non-conforming rights shall be continued in accordance with the "Nonconforming Use" provision of the Zoning Regulations (Chapter 21.27).

V. DESIGN GUIDELINES AND DEVELOPMENT STANDARDS

A. Intent.

Design guidelines and development standards address the exterior appearance of buildings and how they interact visually, and functionally with the public environment. Their intent is to provide sufficient flexibility and guidance to encourage exceptional design quality while preventing poor design.

They are intended for use by both private and public interests as they plan and design new projects, and by the City as a basis for design review and evaluation during the approvals process.

B. Design Guidelines.

The realization of the urban design character of the Long Beach Boulevard Planned Development District, and particularly of the "nodes", requires adherence to design guidelines. The guidelines endeavor to establish a physical framework within which individual projects can be designed to contribute to a coherent whole. These guidelines are:

- 1. Standards for construction or use in the Planned Development District should reflect quality design. Architectural continuity along the Boulevard is desired not through the incorporation of a single design style, but rather through consistency in the quality of design, workmanship, and materials utilized.
- 2. Building facades should utilize substantial articulation and detailing. Architectural details should be consistent in style, scale, materials, and quality throughout each development.
- 3. The streetscape should be enhanced by store front windows, awnings, balconies, building entries or by attractive landscaping. Corners of buildings, particularly those at street corners and major entrances, should be articulated vertically. Blank walls facing major streets without significant architectural treatments should be avoided.
- 4. The "nodes" should be designed as the focal points of the Boulevard which encourage pedestrian activity and provide special treatments for public spaces. Installation of special decorative paving materials, fountains, public arts, outdoor seating, and landscaping, and provision of retail plazas as well as public and semi-public spaces are encouraged.
- 5. New development and uses should contribute to a visual upgrading of the Long Beach Boulevard corridor and be compatible with viable surrounding uses.
- 6. All residential development should be designed to provide a quality urban living environment with adequate usable open space, adequate storage space, an adequate amount of natural light and natural ventilation, and security provisions.
- 7. Higher density and intensity development is especially encouraged around the Metro Blue Line stations.

C. Development Standards.

- 1. Setbacks.
 - a. Setbacks from a public street:
 - i. Subarea 1a:

Buildings - 10 feet

Surface Parking - 10 feet

ii. Subareas 1, 2, 3, & 4:

Buildings/Parking Structures - 10 feet.

Surface Parking - 5 feet.

iii. Subarea 5:

Buildings - No setback requirement.

Surface Parking/Parking Structures - 5 feet.

Through the Site Plan Review process, the setback requirement may be reduced by the PD-29 Site Plan Review Committee or the Planning Commission if it finds that the reduced setback will not impact the streetscape due to the building design.

b. Interior setbacks adjacent to a non-residential district property: 5 feet.

The required setback can be reduced to zero (or 6 inches) if the building is to be attached to an existing building located on the abutting property.

- c. Interior setbacks adjacent to a residential district property:
 - i. Buildings: 20 feet.
 - Surface parking: 5 feet.
- d. Setback from the abutting alley: 10 feet from the center line of the abutting alley.
- 2. Maximum Building Height.
 - a. Subarea 1a: 50 feet (measuring from Long Beach Boulevard curb height) except along Elm Avenue shall be reduced to 20 feet for a width of 30 feet along the entire property line.

- b. Subareas 1, 3 & 4: 50 feet.
- c. Subareas 2 & 5: 150 feet.

Exceptions to the height limitation up to 20% of the maximum height may be granted by the Planning Commission through the site plan review process subject to findings related to the overall project design.

- 3. Floor Area Ratio: No limit.
- 4. Lot Coverage: No limit.
- 5. Parking.
 - a. Required Parking. The required parking and loading area shall be provided in accordance with the standards set forth in Chapter 21.41 of the Zoning Regulations (Off-street parking and loading requirements).
 - b. Parking Reduction through the Site Plan Review process. For non-residential projects, the required number of parking spaces may be reduced by the PD-29 Site Plan Review Committee or the Planning Commission where a development is less than 600 foot from a light-rail station, and a parking study can demonstrate that such a use will generate less parking demand due to the proximity to the rail station.
 - c. Parking Reduction through the Administrative Use Permit process. Through the Administrative Use Permit process, the required number of parking spaces may be reduced (up to 20% of the required parking) if a parking study can demonstrate that such a use will generate less parking due to the use of a joint parking facility or other parking management program.
- 6. Development Standards for Residential Developments.

All residential development shall comply with the density and development standards indicated as follows:

STANDARDS	SUBAREAS 1, 3 & 4	SUBAREAS 2 & 5
Density	Same as R-4-N	Same as R-4-U
Maximum Building Height	Per PD-29	Per PD-29
Setbacks -Street & rear -Interior side Property line	Per PD-29 10% of lot width but not more than 10'	Per PD-29 10% of lot width but not more than 10'
Buffers	Same as R-4-N	Same as R-4-U
Courtyard	Per Sec. 21.31.242	Per Sec. 21.31.242
Lot Coverage	No limit	No limit
Usable Open Space	Same as R-4-N	Same as R-4-U
Privacy Standards	Windows shall not be over- lapping with windows of facing units	Windows shall not be over-lapping with windows of facing units

7. Industrial Related Uses (Subarea 4).

- a. Fence Required: An 8 foot masonry wall shall be constructed separating the industrial use from the abutting residential use.
- b. Limited vehicular access: If the property is located across an alley or a street from a residential zoned property, no truck traffic shall be permitted to have an access from the site to the abutting alley or residential street.
- c. Retail uses: A retail outlet or a showroom for the products being manufactured is encouraged to be provided on the site.
- d. Limited to existing structures: Industrial uses shall be allowed only in structures existing upon the effective date of this ordinance.
- 8. Limited Vehicular Access to Elm Avenue (Subarea 1a):

For all parcels of land located within Subarea 1a, where a site has a street frontage other than Elm Avenue, no vehicular access shall be allowed from the site to Elm Avenue except for emergency vehicles only.

9. Screened Mechanical Equipment.

All mechanical equipment shall be screened. Screening of mechanical equipment shall be integrated with the design of the building. All public utilities shall be placed underground.

10. Trash and Recycling Receptacles.

Adequate trash and recycling receptacles shall be provided to accommodate all refuse generated on a site. Trash receptacles shall not be visible from a public street and shall be integrated with the design of the building. The location of trash and recycling receptacles shall be shown on the site plan.

11. Landscaping.

a. Special Treatments at Nodes.

At the major street intersections, especially at the Anaheim Node, installation of special decorative paving materials, fountains, public arts, outdoor seating, and landscaping are encouraged.

- b. Street Front Setback Area.
 - i. Trees. Trees shall be planted within the street front setback area. These trees shall be planted with one tree (24" box) per each 25-linear feet of street frontage.
 - ii. Shrubs. Within the street front setback area, a minimum of 3 shrubs for each tree shall be provided. These shrubs shall be a minimum of 5-gallon in size.
 - iii. Groundcover. All ground surface within the street front setback area shall be covered with groundcover.
- c. Yard areas other than required street frontage.
 - i. Trees: One tree (24" box) for each 125 sq. ft. of yard area.
 - ii. Shrubs: Three shrubs (5-gallon) for each 125 sq. ft. of yard area.
- 12. Fences and Garden Walls.

Within the required street frontage setback area, no fence exceeding 3 feet in height shall be permitted.

13. On-premise Signs.

On-premise signs are permitted subject to the requirements of Chapter 21.44 (Signs) of the Long Beach Municipal Code.

14. Right-of-way Dedications and Improvements.

Public right-of-way shall be dedicated and improved as required by Chapter 21.47 (Street improvements) of the Long Beach Municipal Code.

D. Through-Block Development

All uses other than through-block development shall comply with the use and development standards applicable to the underlying zoning district.

A through-block development is permitted for the area located within PD-29 where the development site abuts, or adjoins properties fronting on Long Beach Boulevard, Willow Street, Pacific Coast Highway, Anaheim Street or 7th Street, provided that such a development proposal complies with the following conditions:

- 1. The minimum lot size shall be 22,500 sq. ft.;
- 2. The proposed site shall be developed as a unified site with the abutting or adjoining property fronting on Long Beach Boulevard, Willow Street, Pacific Coast Highway, Anaheim Street or 7th Street;
- 3. Uses permitted in a through-block development shall be the same as those on the abutting or adjoining property fronting on Long Beach Boulevard, Willow Street, Pacific Coast Highway, Anaheim Street or 7th Street with which the site is being developed;
- 4. The site plan shall be approved by the Planning Commission through the Joint Review Authority reviewing process;
- 5. Sites developed facing or adjacent to residential zoned property shall be designed to be visually compatible with the residential uses, and shall not impose significant environmental impacts such as noise, glare, or traffic impacts; and
- 6. The entire site shall lie within the boundaries of PD-29.

The Planning Bureau provides this information for reference and the convenience to the public. The adopted ordinance, together with any amendment thereto, is in the possession of the City Clerk and should be reviewed and considered prior to making any land use decision. Information contained herein is subject to change without notice as a result of updates, corrections or amendments.

		PD-	PD-29 USE TABLE	ABLE			
	Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
·	All Financial Services Not Listed	АР	АР	AP	AP	АР	
INSTITUTIONAL USES	Church or Temple	C	ЧΡ	O	AP	AP	
	Fire/Police Stations, Community Center/Cultural (Public Sponsored)	Z	٨	\	>	λ.	
	Convalescent Hospital or Home	Y	Y	C	Å	Z	
	Daycare or Pre-school	Y	Y	γ	Å	·	
	Elementary or Secondary School	C	٨	Y	Å	>	
	Industrial Arts Trade School or Rehab. Workshop	C	٨	АР	Ь	>	
	Mortuary	C	C	C	Å	\	
	Parsonage	А	A	А	A	A	Note: Accessory to church or temple
	Professional School/ Business School	γ	\	γ	٨	>	
	Social Service Office (w/o food distribution)	АР	AP	Y (Subarea 2)	Å	O	
				C (Subarea 5)			
	Social Service Office (with food distribution)	z	C	C	С	C	
	Other Institutional Uses	АР	AP	АР	AP	АР	

		PD-	PD-29 USE TABLE	ABLE			
	Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
	Shoe-shine Stand	A	А	А	А	А	
	Tattoo Parlor	Z	Z	Z	N	Z	
	Termite & Pest Control	АР	АР	AP	АР	\	
	All Personal Services Not Listed	АР	АР	АР	АР	АР	
PROFESSIONAL SERVICES	All Professional Offices (Accounting, Advertising, Architecture, Artist Studio, Bookkeeping, Business Headquarters, Chiropractics, Computer Programming, Consulting, Contracting, Dentistry, Engineering, Insurance, Law, Marketing, Medicine, Photography, Private Investigator, Psychiatry, Psychology, Real Estate, or Tax Preparation)	>	>	>	.	>	
RESIDENTIAL USES	Artist Studio with Residence	АР	, , ,	Å	Å	AP	
	Caretaker Residence	А	А	A	٧	٧	
	Senior and/or Handicapped Housing	Z	AP	АР	АР	АР	
	Special Group Housing (fraternity, sorority, convent, monastery, etc.)	z	O	U	O	z	

		P	PD-29 USE TABLE	ABLE			
	Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
	Multi-family Residential	Z	>	\	>	>	Note: Check special development standards
RESTAURANTS & READY-TO-EAT FOODS	Restaurants & Ready-to-Eat Foods w/o drive-thru lanes	Y	\	>	>	>	
	Restaurants & Ready-to-Eat Foods with drive-thru lanes	С	C	0	AP	AP	
RETAIL SALES	Basic Retail Sales (except uses listed below)	*	Y	\	>	>	
	Gun Shop	O	C	N	O	O	
	Itinerant Vendor	Т	Т	Т	L		
	Merchandise Mall, Indoor Swap Meet	O	АР	٨	>	>	
	Outdoor Sales Events (flee mkts/swap meet)	U	C	0	O	O	
	Superstore (Retail > 100,000 SF with > 10% non-taxable merchandise)	Z	Z	Z	Z	z	Note: See 21.15.2985
	Pawn Shops	С	C	Z	ပ	O	
	Thrift Store	АР	АР	N	АР	>	
	Vending Machines	A	А	А	A	A	
TEMPORARY LODGING	Hotels (motels) w/90 rooms or more	O	>	>	>	>	

		PD	PD-29 USE TABLE	ABLE			
	Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
	Hotel (motels) less than 90 rooms	Z	Z	Z	Z	Z	
	Shelters	N	Z	N	0	N	
TEMPORARY USES	Carnival, Event, Fair, Trade Show, etc.	Ţ	Τ	Т	. 1	Ţ	
	Construction Trailer	Т	Т.	Τ	T		
TRANSPORTATION AND COMMUNICATION FACILITIES	Transportation Facilities (bus terminals)	N	Z	АР	АР	AP	
	Communication Facilities	C	S	С	0	0	
	A. Freestanding/monopole cellular and personal communication services	C	S	C	o o	O	
	B. Attached/roof mounted cellular and personal communication services	٨	>	\	٨	>-	
	C. Electrical distribution station	C	O	С	၁	0	
MISCELLANEOUS	Nurseries	Y	¥	γ	Υ	Υ	
	Passive Park	>	>	>	>	>	

		PD-	PD-29 USE TABLE	ABLE			
	Uses	Subarea 1a	Subarea 1	Nodes Subareas 2 & 5	Subarea 3	Subarea 4	Comments
	Community Garden	dl	Ы	<u>_</u>	<u>a</u>	Ы	
	Community Playground	dl	Ы	<u>a</u>	Ы	- L	
	Recreational Park	АР	АР	АР	АР	AP	
INDUSTRIAL RELATED USES	Industrial Food Processing: 1. Bakery	Z	z	z	z	>	Note: Check special development
	2. Catering (food preparation)	z	z	z	z	>	standards for all Industrial related uses. A retail outlet
				İ			or a showroom is encouraged on the site.
	Industrial Laundry	Z	Z	z	z	O	
	Self-storage facility	C	Z	Z	z	C ⁽²⁾	
	Sewing	Z	Z	Z	z	U	
	Research & laboratory	Z	Z	Z	z	O	
	Warehousing	Z	Z	Z	z	ပ	
	Wholesale sales (except livestock)	z	z	Z	z	АР	

Abbreviations: Y = Yes (r

Yes (permitted use)
Not permitted
Conditional Use Permit is required
Administrative Use Permit is required
Alcoholic beverage sales qualified for CUP exemption (see footnote #1)
Accessory use. For special development standards, refer to Chapter 21.51.

- = Temporary use subject to provisions contained in Chapter 21.53.
- = Interim park use permit required. For special conditions, refer to Chapter 21.52.

- The following alcoholic beverage sales shall be exempted from the CUP permit requirement:
- bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge with exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to Restaurant with alcoholic beverage service only with meal. This generally means any use with a fixed bar is not obtain a condition use permit to continue to sell alcohol.
- Use located more than 500 feet from zoning districts allowing residential use. ن ف
 - Department store or florist with accessary sale of alcoholic beverages.
 - Existing legal, nonconforming uses.

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- A full line grocery store of 50,000 sq. ft. floor area. ø.
- A self-storage facility in subarea 4 shall be limited to re-use of an existing building with no outside storage.

The Planning Bureau provides this information for reference and the convenience to the public. The adopted ordinance, together with any amendment thereto, is in the possession of the City Clerk and should be reviewed and considered prior to making any land use decision. Information contained herein is subject to change without notice as a result of updates, corrections or amendments.

City of Long Beach







