



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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April 7, 2016

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Recommend that the City Council approve Zoning Code Amendment No. 1602-10 to add "transitional housing" and "supportive housing" to Table 31-1 (Uses in Residential Zones) in Title 21 (Zoning) of the Long Beach Municipal Code as permitted uses in any residential zoning district and find that the action is not subject to the California Environmental Quality Act. (Citywide)

APPLICANT: City of Long Beach
Department of Development Services
333 West Ocean Boulevard
Long Beach, CA 90802
(Application No. 1602-10)

DISCUSSION

In developing land use and zoning regulations regarding housing development, the City is required to comply with several State and federal regulations. Housing Element Law (Government Code Section 65580) mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Recent revisions to housing law have prompted the City to amend portions of its Housing Element and Zoning Code.

In 2007, Senate Bill (SB) 2 (Government Code Sections 65582, 65583, and 65589.5) required that transitional and supportive housing be permitted as residential uses, subject only to restrictions that apply to other residential dwellings of the same type in the same zone. On January 7, 2014, the City Council adopted the 2013-2021 Housing Element and on April 2, 2014, HCD certified the Housing Element. The 2013-2021 Housing Element addresses the needs, constraints, and goals for transitional and supportive housing within the City.

On April 24, 2014, HCD sent a memorandum to the City regarding SB 745 (Government Code Section 65582) related to zoning requirements for transitional and supportive housing. SB 745 replaced prior Health and Safety Code definitions of "supportive housing," "target population," and "transitional housing" with definitions more specific to Housing Element law within the Government Code. In response to this, on April 2, 2015,

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the Planning Commission recommended the City Council approve a Zoning Code Amendment to add the definitions to Municipal Code Title 21 (Zoning). On June 25, 2015, the City Council adopted an Ordinance codifying the definitions within Chapter 21.15 (Definitions).

The remaining zoning obligation that the City must comply with under State law is to add transitional housing and supportive housing as allowed uses in residential zoning districts. The subject amendment (Exhibit A – Draft Code Amendment) would add “transitional housing” and “supportive housing” to Table 31-1 (Uses in Residential Zones) and permit both uses in all residential zoning districts. Additionally, the following footnotes would be added and applicable to both uses:

- (e) This use does not include uses that meet the definition of “Residential care facility” or “Special group residences” as defined in Chapter 21.15.
- (f) Development is subject to the density limits of the zoning district in which it is located.

The Municipal Code does not set forth required findings for approval of a Zoning Code Amendment. However, this change is consistent with the General Plan, specifically Land Use Element goals regarding increased opportunities for new housing and the retention of existing housing stock, and Housing Element Policy 2.3, which supports the provision of housing that addresses the needs of various populations. Transitional and supportive housing operate as residential uses and this proposed amendment would not affect the density or development standards allowed on any residential lot. In order to comply with State law, staff recommends that the Planning Commission recommend that the City Council approve Zoning Code Amendment No. 1602-10 to add “transitional housing” and “supportive housing” to Table 31-1 (Uses in Residential Zones) in Title 21 (Zoning) of the Long Beach Municipal Code as permitted uses in any residential zoning district and find that the action is not subject to the California Environmental Quality Act. Should the Planning Commission recommend City Council approval, staff would schedule the item for the earliest available City Council hearing.

PUBLIC HEARING NOTICE

The required public hearing notice was provided in accordance with the Municipal Code. A public hearing notice was published in the Long Beach Press-Telegram on Thursday, March 23, 2016, public hearing notices were mailed to the California Coastal Commission and all City libraries, and three public hearing notices were posted in public places within the City.

ENVIRONMENTAL REVIEW

This action is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061(b)(3) of the Guidelines for Implementation of the CEQA). It can be seen with certainty that there is no possibility that the activity may have a

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significant effect on the environment; therefore, this activity is not subject to CEQA. Future development projects will be subject to a separate CEQA review. Furthermore, Negative Declaration 03-13 for the adoption of the 2013-2021 Housing Element contemplated build out of residentially zoned properties for a variety of residential uses and needs.

Respectfully submitted,



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

CK:FN

P:Planning/PC Staff Reports (Pending)/2015/2015-04-02/HE_use_tables

Attachments: Exhibit A – Draft Code Amendment with redlines