

CITY OF LONG BEACH

H-2

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 (562) 570-5237

September 18, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and adopt Negative Declaration 01-18;

Declare an Ordinance amending various sections of Title 21 (Zoning Regulations) of the Long Beach Municipal Code, to: (1) remove the requirement for use permits for daycare in multi-family zones, laundromats, live/work uses, and thrift stores; (2) update development standards for each of these uses; 3) organize the special development standards in an easier-to-use format; and, (4) update public notification requirements to utilize modern communication tools and reduce costs, read the first time and laid over to the next regular meeting of the City Council for final reading; and,

Adopt a Resolution authorizing the Director of Development Services to submit amendments of the Long Beach Zoning Regulations, and supporting materials, to the California Coastal Commission for approval and certification. (Citywide)

DISCUSSION

A Conditional Use Permit (CUP) is a discretionary application required for certain land uses that, due to their nature, require individual review by the Planning Commission to determine whether the type of use proposed, or the location of that use, is compatible with, or through the imposition of reasonable conditions, can be made compatible with surrounding uses. A similar process is an Administrative Use Permit (AUP) for projects with lesser potential impacts than uses that require a CUP, that is reviewed by the Zoning Administrator. Some of the uses requiring a CUP or AUP include laundromats, daycares, thrift stores, trucking uses, social service offices, special group residences, and the sale of alcohol.

Consideration of a CUP application involves a multi-departmental City review, public notification to occupants and property owners, a public hearing, and conditions of approval that govern the use in perpetuity. Unlike business licenses, which are issued annually, CUPs "run with the land" and is a right that is transferred to any and all successive business or property owners. The City has hundreds of "use permits" that are well over 60 years old and still valid. The City reviews about 30 to 35 CUPs annually.

On December 20, 2016, the City Council requested that the City Manager work with the City Attorney, the Economic Development Commission, and the Planning Commission to review and make recommendations regarding the City's CUP and public notification processes to improve predictability, transparency, and cost-effectiveness. In March 2017, the City hosted a Small Business Roundtable, initiating the effort.

The City hired a consultant, Dyett & Bhatia (Consultant), who performed a thorough assessment of the City's regulations and engaged in stakeholder interviews, including interviews with members of the Economic Development Commission and Planning Commission. The Consultant formulated recommendations on how to achieve the project's goals: (1) remove the requirement for use permits for daycare in multi-family zones, laundromats, live/work uses, and thrift stores; (2) update development standards for each of these uses; 3) organize the special development standards in an easier-to-use format; and, (4) update public notification requirements to utilize modern communication tools and reduce costs. Because CUPs and AUPs are associated with the underlying property and not with specific applicants such as business owners, the Consultant recommendations aim to streamline the process and reduce costs for all applicants. This also ensures that if a different business occupies a property with a Use Permit in the future, the same conditions of approval and operations will continue to apply, ensuring land use compatibility with surrounding properties.

The Planning Commission considered these amendments on June 7, 2018, and forwarded a recommendation of approval to the City Council. The Planning Commission staff report, with a more extensive analysis of the proposed changes, is included as Attachment A. The proposed "red-lined" changes to the Zoning Code are included in Attachment B, to this report.

Currently, laundromats, thrift stores, live/work uses, and daycares in residential zones require either a CUP or an AUP. The regulations for these uses were developed in the late 1980s/early 1990s, before these uses became an integral part of daily life. The requirement for a Use Permit for these activities is now outdated and unnecessary. The Zoning Ordinance includes a chapter of special development standards, that includes performance standards and requirements that allow businesses to operate in a manner that minimizes impacts to surrounding uses.

AUPs and CUPs require mailed public notices to all property owners and occupants within 750 feet of the project site. Approximately 25 percent of the cost of AUP and CUP application fees is spent on notification, and commonly results in 25-35 percent of undeliverable notices and few responses. For Downtown projects, which have a large number of residential units with individual mailing addresses, this requirement can result in more than 2,000 notices being mailed. The City's current 750-foot notification radius requirement exceeds that of comparable cities and more than doubles the 300-foot radius required by State law.

The City will improve its website, and other electronic means, to provide information to the public about applications under review. State law also allows for a newspaper notice in lieu of projects with over 1,000 notices. Implementation of the following recommendations renders the notification process less onerous and costly for applicants, while continuing to provide the public with information about pending applications and upcoming hearings:

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September 18, 2018

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- Continue to send notices to both occupants and property owners.
- Reduce the current 750-foot notification radius to match the State minimum of 300 feet, with provisions for extended noticing for certain projects, as specified below:
 - For projects outside of, but within 300 feet of any residential zone, extend radius by that distance for a notification radius of “300 feet plus distance from residential zone.”
 - For projects with reduced or shared parking requests, extend radius by 450 feet for a notification radius of 750 feet.
 - For uses that include a separate buffer, extend radius by an amount to equal or exceed the required buffer.
- Allow projects with over 1,000 notices to be noticed in the newspaper, in lieu of individual mailed notices.
- Require that all notifications be posted on the Development Services Department website, plus two other forms of electronic communication (websites, email lists, social media sites, etc.), in accordance with a Department digital public notification policy aimed towards achieving high rates of viewership than traditional mailed notices.

The proposed adjustments to the notification radius will result in a reduction in application fees for certain CUPs and AUPs. Staff is currently evaluating an approach to separate the notification costs from the application fees to accurately convey fees to prospective applicants. Staff will return to the City Council shortly with an analysis and resolution to adopt any new fees associated with this process.

Lastly, development standards for specific land uses are distributed amongst Chapters 21.45 (Special Development Standards), 21.51 (Accessory Uses), and 21.52 (Conditional Uses). To improve the ease of locating these standards, the Consultant recommended combining these chapters so that all uses can be found in one chapter. This will require amending cross references throughout the Zoning Ordinance. The City Attorney’s office will undertake these changes in the near future as part of a reorganization and clean-up effort.

A Notice of Public Hearing was published in the Long Beach Press-Telegram on August 30, 2018, and no responses were received as of the date of preparation of this report. Any comments received prior to the City Council hearing will be provided at the hearing.

In accordance with the Guidelines for implementation of the California Environmental Quality Act (CEQA), a Negative Declaration (ND 01-18) was prepared for the proposed amendments (Attachment C – Negative Declaration). The Negative Declaration was made available for a 30-day public review and comment period that began on May 8, 2017 and ended on June 6, 2018, and was adopted by the Planning Commission on June 7, 2018.

A Resolution directing the Director of Development Services to submit a request to the California Coastal Commission to certify an amendment to the Certified Local Coastal Program has been prepared.

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This matter was reviewed by City Attorney Charles Parkin on August 30, 2018 and by Budget Analysis Officer Julissa José-Murray on August 31, 2018.

TIMING CONSIDERATIONS

City Council action is requested on September 18, 2018. Pursuant to Section 21.25.103 of the Zoning Regulations, this request must be presented to the City Council within 60 days of the Planning Commission hearing, which took place on June 7, 2018; however, this was the first available hearing date.

FISCAL IMPACT

The suggested recommendation would amend the Long Beach Municipal Code and authorize the Department Director to submit Zoning Regulation amendments to the California Coastal Commission for approval and certification. Should this recommendation be approved the Department will work to adjust and reduce the application fees for certain CUPs and AUPs. The fees are currently being evaluated to separate application fees from notification fees. At this time, the impact of potential fee reductions is unknown and will be further reviewed. Once the evaluation is complete, the Department will return to the City Council with a Resolution to adopt any new or adjusted fees associated with these permits. There is no local job impact to this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LINDA F. TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

LFT:CK:CT:vbc
P:\Planning\City Council Items (Pending)\Council Letters\2018\2018-09-18\CUP Regs CC v9.docx

- Attachments:
City Council Ordinance
City Council Resolution
Attachment A – Planning Commission Agenda Report
Attachment B – Redlined Zoning Code Amendments
Attachment C – Negative Declaration

APPROVED:


PATRICK H. WEST
CITY MANAGER

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY REPEALING SECTIONS 21.52.204
and 21.52.281; AMENDING SECTIONS 21.15.1560,
21.15.2310, 21.15.2420, 21.15.3000, 21.15.3015,
21.21.302(B)(4), TABLE 31-1, TABLE 32-1, TABLE 32.1A;
21.52.249, AND BY ADDING SECTIONS 21.15.1576,
21.15.1859, 21.25.905, 21.52.200.1, 21.52.239, 21.52.240.5,
21.52.270.1, ALL RELATING TO CONDITIONAL USE
PERMITS

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

Section 1. Section 21.52.204 of the Long Beach Municipal Code, titled
Artist's Studio with Residence, is hereby repealed;

Section 2. Section 21.52.281, titled Thrift Shops, of the Long Beach
Municipal Code is hereby repealed;

Section 3. Section 21.15.1560 of the Long Beach Municipal Code is
amended to read as follows:

21.15.1560 Laundry.

"Laundry" or "Laundromat" means an establishment to dry clean
and/or wash and dry clothes brought in and carried away by the customer.

This may include self-service or coin-operated facilities.

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1 Section 4. Section 21.15.2310 of the Long Beach Municipal Code is
2 amended to read as follows:

3 21.15.2310 Restaurant.

4 “Restaurant” means a commercial use engaged in the preparation
5 and sale of food for immediate consumption. A restaurant includes a
6 kitchen containing not less than a double sink, a range, an oven, and an
7 exhaust canopy. Catering is an accessory use to a restaurant.

8
9 Section 5. Section 21.15.2420 of the Long Beach Municipal Code is
10 amended to read as follows:

11 21.15.2420 Secondhand store.

12 “Secondhand store” means a retail establishment that buys, sells,
13 and/or trades used goods, including through consignment, which may
14 include used clothing, furniture, household goods, jewelry, household
15 appliances, musical instruments, business machines and office equipment,
16 hand tools, and similar items. This definition does not include book stores,
17 antique stores, sale of used farm or construction equipment, junk dealers,
18 scrap/dismantling yards, sale of used cars or other vehicles, pawn shops, or
19 establishments selling used jewelry, old coins and stamps.

20
21 Section 6. Section 21.15.3000 of the Long Beach Municipal Code is
22 amended to read as follows:

23 21.15.3000 Tavern.

24 “Tavern” includes bars, pubs, cocktail lounges and similar
25 establishments that operate under a Type 48 Department of Alcoholic
26 Beverage Control license (On-sale General-Public Premises) and sell beer,
27 wine and distilled spirits for consumption on the premises or Type 42 license
28 (On-sale Beer and Wine-Public Premises) but do not necessarily sell food.

1 Tavern also includes bars and pubs that operate under a Type 40 license
2 (On-sale Beer) and which sell sandwiches or snacks but not wine or distilled
3 spirits. This used does not include Nightclubs as defined by these
4 regulations or restaurants that operate under a Type 47 or Type 41 License.

5
6 Section 7. Section 21.15.3015 of the Long Beach Municipal Code is
7 amended to read as follows:

8 21.15.3015 Thrift shop. See Secondhand store.

9
10 Section 8. Section 21.21.302(B)(4) of the Long Beach Municipal Code is
11 amended to read as follows:

12 4. Public Notification.

13 a. (1) For residential or commercial projects, notice of the
14 hearing shall be mailed or delivered to all owners of real property as shown
15 on the latest equalized assessment roll within three hundred feet (300') of
16 the real property that is the subject of the hearing. Notice of hearing shall
17 also be mailed or delivered to all tenants, as applicable, of real property that
18 is located within three hundred feet (300') of the real property that is subject
19 to the hearing.

20 (2) For all industrial, institutional or City projects, notice of
21 the hearing shall be mailed or delivered to all owners of real property as
22 shown on the latest equalized assessment roll within one thousand feet
23 (1,000') of the real property that is the subject of the hearing. Notice of
24 hearing shall also be mailed or delivered to all tenants, as applicable, of real
25 property that is located within one thousand feet (1,000') of the real property
26 that is subject to the hearing.

27 (3) The notification radius for mailed notices shall be
28 extended in the following circumstances:

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i. Projects that are outside of, but within three hundred feet (300'), of any residential zone – extend radius by that distance, for a notification radius of 300 feet plus distance from closest residential zone.

ii. Projects requesting reduced or shared parking: extend radius by 450 feet, for a notification radius of 750 feet

ii. When the use has a buffer requirement (such as a 500-foot separation), increase the notification radius to match the buffer requirement

iv. When project falls within more than one (1) category described in subsections i-iv, the greater requirement shall prevail.

(4) For notices on City-owned property in the Port of Long Beach and the Long Beach Airport, notices shall also be mailed and delivered to the leasehold interests on those properties. Notices sent to leaseholders shall count in determination of the twenty (20) notice minimum.

(5) In lieu of utilizing the assessment roll, the City may utilize records of the county assessor or tax collector which contain more recent information than the assessment roll. In no event shall less than a minimum of twenty (20) nearest property owners, or owners and leaseholders as specified above, be notified.

(6) Notice of the hearing shall also be mailed or delivered to resident managers of any multifamily residential rental units where the property owner is not an on-site occupant when the fact of non-occupancy is known to the person charged with the responsibility of mailing or delivering notice.

(7) Measurement of the distance for notification pursuant to this Subsection shall begin at the property boundary of the real property that is the subject of the hearing.

(8) Whenever the number of properties to whom notice

1 would be mailed or delivered exceeds one thousand 1,000, the City may
2 provide notice by placing a display advertisement of at least one-eighth (1/8)
3 page in at least one (1) newspaper of general circulation within the
4 jurisdiction where the hearing is being conducted.

5 (9) All notices, regardless of radius, shall be posted to the
6 City's website, along with other forms of electronic communication that are
7 specified with an approved electronic communications policy.

8 b. In a City-initiated zoning remapping program, if the number of
9 properties to whom notice would be mailed or delivered pursuant to this
10 Subsection is greater than one thousand (1,000), the City, in lieu of mailed
11 or delivered notice, may provide notice by placing a display advertisement
12 of at least one-eighth (1/8) page in at least one (1) newspaper of general
13 circulation within the local agency in which the proceeding is conducted at
14 least ten (10) and not more than forty-five (45) days prior to the hearing; and
15

16 Section 9. Table 31-1 of Chapter 21.31 of the Long Beach Municipal
17 Code is amended by amending the following uses: Daycare, under Other Uses; Urban
18 Agriculture, under Interim Parks; and table Notes, as shown on the attached Exhibit "A."
19

20 Section 10. Table 32-1 of Chapter 21.32 of the Long Beach Municipal
21 Code is amended by amending the following uses: Accessory Tasting Room, under
22 Alcoholic Beverage Manufacturing and Accessory Tasting Room; Off-Premises sales
23 within 500 ft. of district allowing residential uses, under Alcoholic Beverage Sales; Urban
24 Agriculture, under Interim Parks; Laundromat, and Tattoo Parlor, under Personal
25 Services; Live-Work Units, under Residential Uses, Secondhand store, under Retail
26 Services; and the table Footnotes as shown on the attached Exhibit "B."

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1 Section 11. Table 32-1A of Chapter 21.32 of the Long Beach Municipal
2 Code is amended by amending the following uses: Laundromat, under Personal
3 Services; as shown on the attached Exhibit "C."

4
5 Section 12. Section 21.52.249 of the Long Beach Municipal Code is
6 amended to read as follows:

7 21.52.249 Nursery schools, day nurseries, preschools, childcare centers,
8 daycare centers and similar uses for daytime care and education
9 of a limited number of persons.

10 The following conditions shall apply to all nursery schools, day nurseries,
11 preschools, childcare centers, daycare centers and similar uses for daytime care
12 and education of a limited number of persons:

13 A. A minimum of seventy-five (75) square feet of outdoor play
14 area per child shall be provided on the site;

15 B. In residential districts, no other similar facility may be located
16 and operating within one-half (1/2) mile (2,640 feet) of the proposed site;

17 C. The hours of operation shall be limited to the hours between
18 six o'clock (6:00) a.m. and seven-thirty (7:30) p.m.; and

19 D. Adequate off-street loading spaces shall be provided to
20 prevent adverse effects upon the neighborhood.

21
22 Section 13. Section 21.15.1576 is added to the Long Beach Municipal
23 Code to read as follows:

24 21.15.1576 Live-Work unit.

25 A unit that combines a work space and incidental residential
26 occupancy by a single household in a structure that has been constructed
27 for such use or converted from commercial or industrial use and structurally
28 modified to accommodate residential and work activities in compliance with

1 the California Building Code.

2

3 Section 14. Section 21.15.1859 is added to the Long Beach Municipal
4 Code to read as follows:

5 21.15.1859 "Noise ordinance" means Chapter 8.80 of the Long Beach
6 Municipal Code.

7

8 Section 15. Section 21.25.905 is added to the Long Beach Municipal
9 Code to read as follows:

10 21.25.905 Administrative Land Use Review.

11 This Section establishes procedures for conducting review of by-right
12 land uses and structures to verify that any new or expanded use or structure
13 complies with all of the applicable requirements of this Code.

14 A. Applicability. Administrative Land Use Review is required for
15 new or substantial expansions of uses of land or a building, which are:

- 16 1) allowed by-right but require compliance with Special Development
17 Standards detailed in Chapters 21.45, 21.51, or 21.52 of this Code; and/or
18 2) allowed by an existing approved planning application (Site Plan Review,
19 Conditional Use Permit, etc.).

20 B. Application. Applications and fees for Administrative Land
21 Use Review shall be submitted in accordance with the provisions set forth in
22 Chapter 21.21.201, Application. The Zoning Administrator may request that
23 the Administrative Land Use Review application be accompanied by a
24 written narrative, plans and other related materials necessary to show that
25 the proposed development, alteration, or use of the site complies with all
26 provisions of this Code and the requirements and conditions of any
27 applicable planning application approval.

28 C. Determination. If the Zoning Administrator determines that the

1 proposed use or building conforms to all the applicable development and
2 use standards, the Director shall issue written notice of the Administrative
3 Land Use Review determination within 30 days of the date of receipt of a
4 completed application. An approved Administrative Land Use Review may
5 include attachments of other written or graphic information, including but not
6 limited to, statements, numeric data, site plans, floor plans and building
7 elevations and sections, as a record of the proposal's conformity with the
8 applicable regulations of this Code.

9 D. Exceptions. Administrative Land Use Review is not required
10 for the continuation of previously approved or permitted uses and structures,
11 or uses and structures that are not subject to any building or development
12 code regulations.

13 E. Appeals. Administrative Land Use Review decisions are
14 subject to the appeal provisions of Chapter 21.21, Appeals.

15
16 Section 16. Section 21.52.200.1 is added to the Long Beach Municipal
17 Code to read as follows:

18 21.52.200.1 Alcohol exemption permit.

19 The following alcoholic beverage sales may be exempted from the
20 conditional use permit requirement:

21 A. Restaurants with alcoholic beverage service only with meals.
22 This generally means any use with a fixed bar is not exempt. A service bar
23 is not considered a fixed bar. A sushi bar, where alcoholic beverages are
24 served at the same bar where meals are served, is considered serving
25 alcoholic beverages only with meal service. A cocktail lounge without a bar,
26 but with primarily service of only hors d'oeuvres and alcoholic beverages is
27 not exempt. Any restaurant with more than thirty percent (30%) of gross
28 sales consisting of alcoholic beverages shall lose its exemption and be

1 required to obtain a conditional use permit to continue to sell alcohol.

2 B. Florist with accessory sale of alcoholic beverages.

3 C. Existing legal, nonconforming uses.

4
5 Section 17. Section 21.52.239 is added to the Long Beach Municipal
6 Code to read as follows:

7 21.52.239 Laundromats.

8 All new or expanded uses laundromats are required to comply with the
9 following:

10 A. Restriction of Over-Concentration of Laundromats. No new or
11 expanded laundromat use shall be located closer than 500 feet from any
12 existing laundromat as measured by closest radial distance between
13 buildings.

14 B. Standards. The following standards shall apply to all new or
15 expanded Laundromat uses:

16 1. On-Site Attendant. An employee shall be on the
17 premises during all business hours.

18 2. Security Cameras. Security cameras shall be operated
19 on the premises during all business hours and recordings shall be
20 maintained for a minimum of seven days.

21 3. When located adjacent to or below a dwelling unit the
22 following shall be minimized:

23 a. Noise shall not exceed the limits set forth in
24 Chapter 8.80.

25 b. Vibrations shall not exceed the limits set forth in
26 Chapter 8.80.

27 c. Venting shall be directed away from residential
28 dwelling units.

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4. Transparency.

a. A minimum of 60 percent of the building facade along a street or streets shall be glass (windows and/or doors).

b. Window Clarity. Ninety percent of area of windows shall remain clear to allow views into the commercial space.

5. Exterior Illumination. Outdoor lighting shall be attached to the exterior of the building containing the laundromat establishment and operated after dusk so that the exterior of the premises are discernible.

6. Off-Site Impacts.

a. Litter and debris shall be cleared from the premises and the adjacent right-of-way and sidewalks of the property at least once daily or as needed to maintain a litter free environment.

b. Graffiti shall be removed from the exterior of the building within 72 hours of application.

c. At least two "No Loitering" signs shall be posted on the building facade and other visible locations around the site. Signs shall be of a permanent nature and have letters a minimum of two inches in height. The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiterers who refuse to leave.

d. Persons loitering in the vicinity of the exterior of the establishment with no apparent business for more than ten minutes shall be asked to leave.

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1 Section 18. Section 21.52.240.5 of Long Beach Municipal Code is added
2 to the Long Beach Municipal Code to read as follows:

3 21.52.240.5 Live-work unit.

4 The following conditions shall apply to administrative use permits for
5 live-work units:

6 A. The minimum unit size is seven hundred fifty (750) square feet.

7 B. Each unit shall have a separate entrance that is clearly identified
8 to provide for emergency services.

9 C. No more than thirty-three percent (33%) of any unit shall be
10 used for exclusive residential purpose such as sleeping area, kitchen,
11 bathroom and closet areas. The unit shall provide as a minimum full
12 cooking and bathing facilities.

13 D. All necessary building permits shall be obtained prior to the use
14 of the space for residential occupancy.

15 E. No mechanical equipment shall be used which generates noise
16 higher than the noise standards established for residential uses (Chapter
17 8.80 of the Municipal Code).

18 F. There shall be no outside operations, outside storage or outdoor
19 display of materials or products.

20 G. No toxic, explosive, flammable, combustible or corrosive
21 materials are to be stored or used on the site in quantities or in a manner
22 that violates any provision of the Uniform Fire Code. No etiologic or
23 radioactive materials shall be used or stored on the site at any time.

24 H. No process shall be used which is hazardous to public health,
25 safety or welfare.

26 I. The home occupation shall not displace or block the use of
27 parking spaces required for the residential use including any business
28 storage in required garage parking areas.

1 J. Not more than two (2) vehicles shall be used in the business.
2 Only one (1) vehicle may be commercially licensed.

3 K. The property owner shall record a covenant, prior to the
4 issuance of a building permit, ensuring that the provisions of this Section are
5 continually adhered to and that the Live-Work Unit remains consistent with
6 the definition in Section 21.15.1576.

7 The Zoning Administrator may require the discontinuance of a work
8 activity in a live-work unit with residence if as operated or maintained there
9 has been a violation of any applicable condition or standard. The Zoning
10 Administrator shall have the authority to prescribe additional conditions and
11 standards of operation for any category of work activity in a live-work unit.

12
13 Section 19. Section 21.52.270.1 of Long Beach Municipal Code is added
14 to the Long Beach Municipal Code to read as follows:

15 21.52.270.1 Secondhand shops.

16 The following shall apply to new secondhand/thrift shops and as a
17 requirement for approval of any increase in the floor area of an existing shop:

18 A. All sales and display of merchandise shall be permitted only
19 within a building;

20 B. Exterior alterations to the premises and all signage must be
21 designed and installed in compliance with all applicable City regulations and
22 guidelines;

23 C. The building and site shall be maintained in a neat, clean and
24 orderly condition;

25 D. Outside storage shall not be permitted;

26 E. The store shall not authorize the donation or drop-off of any
27 goods while the store is closed; and

28 F. The operator shall post a notice in a visible location at any

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public entrance, which states that goods may not be deposited when the store is closed and listing hours when and where donations will be accepted.

Section 20. 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.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 20____, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

TABLE 31-1 revisions

**Table 31-1
Uses in Residential Zones
Other Uses**

Residential Zone District Land Use	R-1-S	R-1-M	R-1-L	R-1-N	R-1-T	R-2-S	R-2-I	R-2-L	R-2-N	R-2-A	R-3-S	R-3-4	R-3-T	R-4-R	R-4-N	R-4-H(d)	R-4-U	R-M	R-4-M	RP
Other Uses																				
Daycare center (15 or more persons) (see Section 21.52.249)	C	C	C	C	C	C	C	C	C	C	Y	Y	Y	Y	Y	Y	Y	C	N	N
Interim Parks																				
e. Urban Agriculture (h)	AP	AP	AP	AP	AP	AP	AP	AP	AP	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Notes:

- (a) Retail and office commercial uses are subject to the development standards specified in Section 21.45.160.
- (b) Unless the site can provide 4 independently accessible parking spaces, one unit is limited to 450 sq. ft. as a zero bedroom.
- (c) One unit shall not exceed 800 sq. ft. or 12 percent of lot area, whichever is greater. The 800 sq. ft. limit shall apply to the rear unit. If both units exceed 800 sq. ft., the rear unit, or bottom unit in a stacked duplex, shall be considered the legal nonconforming unit.
- (d) For commercial uses permitted in the R-4-H zone see Section 21.45.160.
- (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.
- (g) Adult-Use Cannabis Businesses prohibited.
- (h) All urban agriculture uses, whether by-right or permitted through an Administrative Use Permit, must meet the standards outlined in Section 21.52.260.

TABLE 32-1 revisions

Table 32-1
Uses In All Other Commercial Zoning Districts

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Alcoholic Beverage Manufacturing and Accessory Tasting Room										
Alcohol Beverage Manufacturing*	Y	Y	Y	Y	Y	Y	Y	Y	Y	See Section 21.45.114). Alcoholic Beverage Manufacturing and Accessory tasting room uses shall be permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.114.
Accessory Tasting Room*	A	A	A	A	A	A	A	A	A	

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Alcoholic Beverage Sales										Note: The concentration of existing ABC licenses and the area crime rate are factors considered in reviewing applications for alcohol sales.
Off-premises sales within 500 ft. of district allowing residential uses	C	C	C	C	C	C	C	C	N	For alcoholic beverage sales exempted from the CUP process, see Section 21.52.200.1

EXHIBIT "B"

Interim Parks											
Urban Agriculture Use (1)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See Section 21.52.260.

**Table 32-1
Uses In All Other Commercial Zoning Districts**

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Laundromat	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.52.239
Tattoo parlor	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.45.166). Tattoo parlors shall be permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.166.

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Caretaker residence	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP
Group home (care of 6 or less)	N	N	Y	N	N	Y	Y	N	N	
Live-Work Units	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.52.240.5

Residential care facility (care of 7 or more)	N	N	N	N	N	C	C	N	N	
Residential historic landmark building	*	*	*	*	*	*	*	*	*	See Section 21.52.265.5 for permitted uses and special conditions.
Senior and/or handicapped housing	N	N	N	N	N	C	C	N	N	
Special group housing (fraternity, sorority, convalescent home, convent, monastery, etc.)	N	N	N	N	N	C	C	C	N	
Single-family or multifamily residential	N	N	Y	N	N	Y	Y	N	N	See Table 32-3 for permitted densities.

	Neighborhood			Community				Regional	Other	
Retail Services (cont'd)	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Secondhand store	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.52.270.1 Also see note under "Basic Retail."

Footnotes:

(1) All urban agriculture uses, whether by-right or permitted through an Administrative Use Permit, must meet the standards outlined in Section 21.52.260.

TABLE 32-1A revisions

**Table 32-1A
Uses In All Other Commercial Zoning Districts**

Personal Services			
Use	CO	CH	CT
Laundromat (no on-site dry cleaning) – See 21.52.239	N	Y	Y

Notes:	(a)	Billboards are subject to special development standards contained in Chapter 21.54.
	(b)	For alcoholic beverage sales that are exempt from the conditional use permit requirement, Section 21.52.200.1.
	(c)	Refer to Section 21.32.235 (Residential uses in commercial districts) for development standards. Residential zone designated as overlay zone will supersede the density and standards specified in Table 32-1.
	(d)	All urban agriculture uses, whether by-right or permitted through an Administrative Use Permit, must meet the standards outlined in Section 21.52.260.

EXHIBIT "C"

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF
DEVELOPMENT SERVICES TO SUBMIT AMENDMENTS
TO THE LONG BEACH ZONING REGULATIONS TO THE
CALIFORNIA COASTAL COMMISSION FOR APPROVAL

WHEREAS, on _____, 2018, the City Council of the City of
Long Beach amended certain provisions of the Long Beach Zoning Regulations, Title 21
of the Long Beach Municipal Code, relating to Conditional Use Permits; and

WHEREAS, it is the desire of the City Council to submit the above
referenced zoning regulation amendments to the California Coastal Commission for its
review; and

WHEREAS, the Planning Commission and City Council gave full
consideration to all facts and the proposals respecting the amendments to the zoning
regulations at a properly noticed and advertised public hearings; and

WHEREAS, the City Council, in accordance with the recommendation of
the Planning Commission, approved the proposed amendments to the zoning regulations
by adopting amendments to Title 21 relating to conditional use permits. The proposed
zoning regulation amendments are to be carried out in a manner fully consistent with the
Coastal Act and become effective in the Coastal Zone immediately upon Coastal
Commission certification and approval; and

WHEREAS, the City Council hereby finds that the proposed zoning
amendments will not adversely affect the character, livability or appropriate development
in the City of Long Beach and that the amendments are consistent with the goals,
objectives and provisions of the City's General Plan.

NOW, THEREFORE, the City Council of the City of Long Beach resolves as

1 follows:

2 Section 1. The amendment to the Long Beach Zoning Regulations of the
3 City of Long Beach adopted on _____, 2018, by Ordinance No.
4 ORD-18-_____, a copy of which is attached to and incorporated in this resolution as
5 Exhibit "A", is hereby submitted to the California Coastal Commission for its earliest
6 review as to that part of the ordinance that directly affects land use matters in that portion
7 of the California Coastal Zone within the City of Long Beach.

8 Section 2. The Director of Development Services of the City of Long
9 Beach is hereby authorized to and shall submit a certified copy of this resolution, together
10 with appropriate supporting materials, to the California Coastal Commission with a
11 request for its earliest action, as an amendment to the Local Coastal program that will
12 take effect automatically upon Coastal Commission approval pursuant to the Public
13 Resources Code or as an amendment that will require formal City Council adoption after
14 Coastal Commission approval.

15 Section 3. This resolution shall take effect immediately upon its adoption
16 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

17 I certify that this resolution was adopted by the City Council of the City of
18 Long Beach at its meeting of _____, 2018, by the following vote:

19
20 Ayes: Councilmembers: _____
21 _____
22 _____
23 Noes: Councilmembers: _____
24 _____
25 Absent: Councilmembers: _____
26 _____
27 _____
28 _____
City Clerk



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194 FAX (562) 570-6068

June 7, 2018

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Recommend that the City Council accept Negative Declaration ND 01-18 and approve Zoning Code Amendment (ZCA18-005) and Local Coastal Program Amendment (LCPA18-002) to: 1) amend processes so certain land uses do not require Conditional Use Permits; 2) modernize development standards for other uses; 3) organize the standards in an easier-to-use format; and 4) amend the notification requirements to better reflect modern communications. (Citywide)

APPLICANT: City of Long Beach, Development Services Department
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(Application No. 1805-05)

BACKGROUND

The Conditional Use Permit (CUP) is a discretionary application required for certain land uses that, due to their nature, require individual review by the Planning Commission to determine whether the type of use proposed, or the location of that use, is compatible with, or through the imposition of reasonable conditions, can be made compatible with surrounding uses. A similar process is an Administrative Use Permit (AUP), which is reviewed by the Zoning Administrator. Some of these uses include laundromats, daycares, thrift stores, trucking uses, social service offices, special group residences, and the sale of alcohol. Based on the zoning district, certain uses may require a CUP application due to their potential to have impacts, such as noise, light, odors, littering, etc. on nearby properties. A CUP application involves a multi-departmental City review, public notification to occupants and property owners, a public hearing, and conditions of approval that govern the use in perpetuity. Unlike business licenses which are issued annually, CUPs "run with the land" and is a right that is transferred to any and all successive business or property owners. The City has hundreds of "use permits" that are well over 60 years old and still valid. The City reviews about 30 to 35 CUPs annually.

After securing a CUP, the business owner would prepare and submit plans to the Building Bureau for "plan check", where once the plans are reviewed in compliance with the California Building Code and other applicable requirements (Fire, Health, etc.), a building permit can be issued. Building inspectors inspect the construction work. Once the building inspector issues a final approval, the City can issue a business license for the business to open. The business must operate within the terms of its CUP. These terms may

include hours of operation, noise control, security measures, etc. The City maintains the right to inspect and enforce these conditions of approval, as well as any other provisions deemed a nuisance by the City, for the life of the project, regardless of ownership.

On December 20, 2016, the City Council requested that the City Manager work with the City Attorney, the Economic Development Commission, and the Planning Commission to review and make recommendations regarding the City's CUP and public notification processes. The December 20 City Council report stated that "The CUP process can be lengthy, and requires extensive staff support and public input. For a new business or an existing business wishing to expand, the CUP process can be daunting and costly, without an assured outcome. This uncertainty results from not knowing what the City may require in terms of conditions, or how the public will react to the request." The staff report also identified that "one significant part of the cost of a CUP is the requirement to mail the application to all owners and tenants within a 750' radius", with a considerable percentage of undeliverable notices and that paper mail is no longer the most desirable method of communicating with the public, with the advent of internet-based communications.

In March 2017, the City hosted a Small Business Roundtable, initiating the effort to reassess the City's CUP process. The City secured a consultant, Dyett & Bhatia (Consultant), to assist in the effort. In May 2017, the Consultant engaged in targeted outreach with over 40 stakeholders, including business owners, representatives of the Council of Business Associations, previous and current CUP applicants, and members of the Planning Commission and the Economic Development Commission. The feedback from the Stakeholders was primarily centered around ways to address the uncertainty, time, and cost of the discretionary processes. In all cases, business owners expressed their support for amendments that would make the process of opening a business more predictable and that reasonable rules should be in place to ensure that businesses operate in a manner that is harmonious with their surroundings. A Stakeholder Summary is included as Exhibit B. The Consultant also produced an assessment of the City's existing CUP process, notification, and regulations, with comparison to three peer cities: Huntington Beach, Anaheim, and West Hollywood.

The Consultant shared the findings at a Planning Commission study session in September 2017, and engaged with a core group of the Economic Development Commission. From these interactions, the Consultant also garnered input and perspective of business owners wishing to open new businesses that require CUPs. Since then, the Consultant has worked to understand the City's process and challenges, resulting in the proposed Zoning Code Amendment, and has recommended that the City amend certain provisions in the Zoning Ordinance, make better use of communication tools, and improve some internal workflows to streamline processes for businesses.

DISCUSSION

The proposed Zoning Code Amendment generally consists of the following: 1) amending processes so certain land uses do not require Conditional or Administrative Use Permits; 2) modernizing development standards for alcohol uses; 3) organizing the standards in an easier-to-use format; and 4) amending the notification requirements to increase

CHAIR AND PLANNING COMMISSIONERS

June 7, 2018

Page 3 of 6

options and better reflect modern communications. Because these proposed changes are within the Zoning Ordinance, the Planning Commission must review and act upon this matter. The Planning Commission's action will be forwarded to the City Council as a recommendation.

Eliminating Use Permits for Certain Uses

Laundromats

The City currently requires laundromats to obtain an Administrative Use Permit (AUP). While laundromats have occasionally been the source of complaints, staff finds that conditions of approval for laundromats consistently regulate the same topics: loitering, odors, lint, and maintenance. Staff proposes to eliminate the requirement for AUPs for laundromats and require them to comply with specific development standards. These standards include odor and dust control from dryers, lint traps at the exit points to ventilation, regular maintenance, hours of operation, anti-loitering rules, and requirements for inspection on regular intervals. The Zoning Ordinance includes a chapter of special development standards, which includes performance standards and requirements in order to allow businesses to operate.

Thrift Stores

Thrift stores are also required to obtain an AUP. Thrift stores are defined as "a retail commercial land use, either for-profit or nonprofit, for the sale of used merchandise other than antiques, art, books, clothes, collectables, jewelry, photographic equipment and vehicles." Common issues with thrift stores have included illegal dumping, unsolicited donations that remain outside the store for an extended period of time, and outdoor displays of merchandise. Thrift store regulations were last adopted in 1992, and the retail economy has evolved to include the sale of secondhand goods, in particular, furniture, household décor, light fixtures, and distinct architectural or vehicle parts. One driver of this evolution is the "upcycle" market, which encourages the re-use of products into a purpose other than what they were originally designed. For these reasons, requiring stores that sell used goods to obtain an Administrative Use Permit is now contrary to encouraging a creative and innovate retail setting. Regulations will be included within the Special Development Standards to ensure that thrift stores are maintained in a manner that does not create any littering or visual impact to surroundings.

Daycares

Daycares with over 15 children currently require a CUP when located within residential districts ranging from R-1 (Single-Family Residential) to R-4 (moderate/high density). While daycares are considered a commercial use, they also provide a service that might be needed near residential neighborhoods. The City's Housing Element cites the need for child daycare facilities to be accessible to families, particularly single-parent households. Furthermore, certain R-3 and R-4 Zones currently allow limited commercial uses, such as office, retail, and restaurants. Allowing daycares as a permitted use in these

zones, rather than requiring a CUP, would eliminate one step (and cost) for daycares in these zones.

Live-Work Uses

The City allows establishment of an "artist's studio with residence" in most commercial and industrial districts subject to approval of an AUP. The studio residence must have a minimum of 750 square feet of floor area of which no more than 1/3 may be used exclusively for residential purposes. The code defines "artist's studio" as "premises used for the creation of fine arts", which would appear to exclude a variety of other work activities such as professional office, architecture, accounting, marketing, commercial graphics, editing, city planning, and other vocations that are being increasingly common live-work activities. Staff proposes to change the name to "Live-Work Units" and broaden the uses allowed to include those mentioned above. However, the limitation of 1/3 of the space used exclusively for residential purposes would remain, to ensure that the character of non-residential areas does not change. Furthermore, occupants of the live-work unit would be required to obtain a business license.

Revise Notification Requirements

The Long Beach requires that public notification for planning applications, including Administrative and Conditional Use Permits, be mailed to all property owners and occupants within 750 feet of the project site. For Downtown projects, this sometimes results in nearly 2,000 notices being mailed. This exceeds the requirement imposed by all the peer cities and also the 300-foot radius that State law requires. At the same time, the City has not made adequate use of its website or other electronic means to provide information to the public about applications under review. Approximately 25 percent of the cost of AUP and CUP applications is spent on the notification effort, and commonly results 25-35% of undeliverable notices as well as few people responding. State law also allows for a newspaper notice in lieu of projects with over 1,000 notices. Implementation of the following recommendations render the notification process less onerous and costly for both applicants, and also provide the public more accessible information about pending applications and upcoming hearings.

- Modify the notification radius to the State minimum of 300 feet, with provisions for extended noticing for certain projects, such as:
 - For projects within 300 feet of any residential zone, extend radius 200 feet for a notification radius of 500 feet.
 - For projects with reduced or shared parking requests, extend radius by 450 feet for a notification radius of 750 feet.
 - For uses that include a separate buffer, extend radius by an amount to equal or exceed the required buffer.
- Allow projects with over 1,000 notices to be noticed in the newspaper.
- Require that all notifications be posted on the Development Services Department website, plus two other forms of electronic communication

(websites, email lists, social media sites, etc.), in accordance with a Department digital public notification policy aimed towards achieving high rates of viewership than traditional mailed notices.

Another method of reducing notification costs includes offering applicants the option of providing a notification package in compliance with specific City requirements, along with self-certification. Also, the Department could link applications to an on-line map to make it easier for the public to find information about nearby development proposals, including upcoming public hearings. These tools are commonly implemented by other jurisdictions and found to be successful in conveying information to the public. These options do not require a Zoning Code Amendment, but will be evaluated as department needs during the budget review process.

Ease of Use

Currently, development standards for specific land uses are distributed amongst Chapters 21.45 (Special Development Standards), 21.51 (Accessory Uses), and 21.52 (Conditional Uses). To improve the usability of locating these standards, staff proposes to combine these chapters so that all uses can be found in one chapter. This will require amending cross references throughout the Zoning Ordinance.

Administrative (By-Right) Land Use Review Process – Staff Review

The Planning Bureau regularly reviews business licenses, with approvals indicated on the application as well as in the City's permitting system. Currently, there is no easily trackable system in place where applicants or business owners acknowledge and agree to the special development standards. As the number of uses requiring Conditional Use Permits decreases, as reflected by recently-adopted land use changes (Accessory Dwelling Units, Alcohol Beverage Manufacturing, Tattoo Parlors, Unattended Donation Bins, etc.), the City is in need of a land use review process that is performed administratively (a standardized staff review process, with possible over-the-counter review). Staff proposes codifying this process so that applicants are clear on the defined process and appropriate forms for the application.

The "red-lined" changes to the Zoning Ordinance are included as Exhibit A to this report. Please note that the new number references pertaining to Chapters 21.45, 21.51 and 21.52 will be prepared subsequent to the Planning Commission's action.

Sales of Alcohol for On-Site Consumption

Many of the stakeholders identified the City's requirements and procedures for approving alcohol sales for restaurants as a significant obstacle. Even though Long Beach exempts restaurants that serve alcohol with meals from the CUP process, the code makes it difficult for some applicants to qualify for this waiver because of exceptions to this provision (e.g., a fixed bar, alcohol sales over 30 percent of gross sales, etc.). Stakeholders, especially restaurant owners, cite the uncertainty, time, and cost as the hurdles introduced by the Conditional Use Permit process. They questioned the need for

the City's strict alcohol regulations with restaurants when all restaurants and bars within the Downtown Plan are permitted to serve alcohol for on-site consumption by-right, without a Conditional Use Permit. Lastly, stakeholders commented on the redundancy between the Conditions of Approval imposed on CUPs for alcohol and Alcohol Beverage Control regulations.

To address some of the concerns in a manner that clarifies regulations for businesses, eases processing time, yet allows the City to retain the authority needed to regulate sales of alcohol, staff intends to undertake a broader study of uses related to alcohol sales in the near future. This would include reviewing the "fixed bar" provision, parking requirements, and the City's relationship to California ABC regulations.

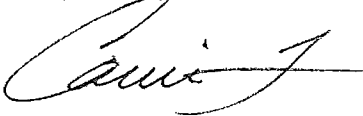
PUBLIC HEARING NOTICE

Notice of this public hearing was published in the Long Beach Press-Telegram on May 24, 2018, in accordance with provisions of the Zoning Ordinance. Additionally, written notices were sent to the California Coastal Commission and all City libraries, and three public hearing notices were posted in public places throughout the City. Furthermore, staff has sent written correspondence to all stakeholders previously engaged in this effort.

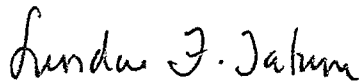
ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), a Negative Declaration was prepared for the Zoning Code Amendment for CUP Regulations. The Negative Declaration was posted on the City's website and has been circulated for a 30-day review period, between May 8 and June 6, 2018. As of the date of preparation of this report, no comments have been received. The Negative Declaration is available as an attachment to this report (Exhibit C – Negative Declaration ND 01-18).

Respectfully submitted,



CARRIE TAI, AICP
CURRENT PLANNING OFFICER



LINDA F. TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

LFT:ct

Attachments: Exhibit A – Draft Code Amendment with Redlines
 Exhibit B – Stakeholder Summary
 Exhibit C – Negative Declaration ND 01-18

Changes to Chapter 21.15 Definitions

(NEW) 21.15.XXX Alcohol Exemption Permit. "Alcohol exemption permit" means a compliance determination by the Zoning Administrator that a Restaurant, which offers alcoholic beverages incidental to meal service shall be exempt from the Conditional Use Permit requirements of Chapters 21.32 and 21.33 of this Code because the applicant has agreed in writing to comply with all of the applicable criteria and conditions of Section TBD.

(NEW) 21.15.441 – California Department of Alcoholic Beverage Control (ABC). "California Department of Alcoholic Beverage Control (ABC) means the California State agency that regulates the permitting of alcoholic beverage sales, including the sale of beer, wine, and distilled spirits.

(NEW) 21.15.XXX "Determination of public convenience or necessity" means a procedure the City uses to approve alcoholic sales establishments in an area that the California Department of Alcoholic Beverage Control considers "high crime" or has too many licenses.

(AMEND) 21.15.1560 - Laundry. "Laundry" or Laundromat means an establishment to dry clean and/or wash and dry clothes brought in and carried away by the customer. This may include self-service or coin-operated facilities. 21.15.240 – Artist studio. "Artist studio" means a premises used for the creation of fine arts. An artist studio may contain living quarters as an accessory residential use (Section 21.15.063). When studio and residence are combined they are designated as "artist studio and residence" in the use table. (Ord. C 6895 § 2, 1991; Ord. C 6533 § 1 (part), 1988)

21.15.1576 - Live-Work unit. A unit that combines a work space and incidental residential occupancy by a single household in a structure that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential and work activities in compliance with the California Building Code.

(NEW) 21.15.XXX - Noise ordinance means Chapter 8.80 of the Long Beach Municipal Code.

(AMEND) 21.15.2310 - Restaurant. "Restaurant" means a commercial use engaged in the preparation and sale of food for immediate consumption. A restaurant includes a kitchen containing not less than a double sink, a range, an oven, and an exhaust canopy. Catering is an accessory use to a restaurant. ~~Uses that prepare and sell food without a full kitchen are a tavern if they sell alcoholic beverages for on-premises consumption, or a ready-to-eat food establishment if they do not sell alcohol for on-premises consumption.~~ (Ord. C-6684 § 14, 1990; Ord. C-6533 § 1 (part), 1988)

(AMEND) 21.15.2320 - Restaurant, dinner Full-service. "Full-service" or "dinner restaurant" means a restaurant which provides ~~primarily table service to customers~~ food and beverage services to patrons who order and are served while seated and pay after eating and with limited takeout service. Full-service restaurant includes eating places authorized to sell beer, wine, and distilled spirits for consumption on-site under Type 47 Department of Alcoholic Beverage Control license and eating places that are authorized to sell beer and wine under a Type 41 License. (Ord. C-6533 § 1 (part), 1988)

(AMEND) 21.15.2420 - Secondhand store. "Secondhand store" means a retail establishment that ~~buys, sells, and/or trades any premises used for the sale or handling of used goods, including through consignment, which may include~~ Secondhand store includes establishments for the sale or trade of used clothing, furniture, household goods, jewelry, household appliances, musical instruments, business machines and office equipment, hand tools, and similar items. ~~and~~

~~appliances. Secondhand store~~ This definition does not include book stores, antique stores, sale of used farm or construction equipment, junk dealers, scrap/dismantling yards, sale of used cars or other vehicles, pawn shops, or establishments selling used jewelry, old coins and stamps.

(AMEND) 21.15.3000 - Tavern. Tavern includes bars, pubs, cocktail lounges and the like similar establishments that operate under a Type 48 Department of Alcoholic Beverage Control license (On-sale General—Public Premises) and sell beer, wine and distilled spirits for consumption on the premises or Type 42 license (On-sale Beer and Wine-Public Premises) but do not necessarily sell food. Tavern also includes bars and pubs that operate under a a Type 40 license (On-sale Beer) and which sell sandwiches or snacks but not wine or distilled spirits. This use does not include Nightclubs as defined by these regulations or restaurants that operate under a Type 47 or Type 41 License.

(AMEND) 21.15.3015 - Thrift shop. ~~"Thrift shop" means a retail commercial land use, either for-profit or nonprofit, for the sale of used merchandise other than antiques, art, books, clothes, collectables, jewelry, photographic equipment and vehicles. See Secondhand store.~~

Changes to CHAPTER 21.21 - ADMINISTRATIVE PROCEDURES

DIVISION III. - NOTICING OF HEARINGS

21.21.302 - Noticing requirements for hearings.

- A. **General.** Notice shall be given for all hearings requiring notice as set forth in Table 21-1 not less than fourteen (14) days, nor more than forty-five (45) days prior to the hearing. In addition to the notice required by this Section, the City may give notice of the hearing in any other manner it deems necessary or desirable, but, in any event, notice shall be given by the means set forth in this Section.
- B. **For Noticing of Zone Changes and Other Specified Procedures.** For noticing of a zone change, conditional use permit, standards variance, administrative use permit, planned development district, local coastal permit, special setback lines, density bonus, or any other planning or zoning matter not otherwise specifically provided for herein:
1. **Owners and Occupants.** Notice of hearing shall be mailed or delivered to the owner of the subject real property or to the owner's duly authorized agent. One (1) notice of hearing shall also be mailed or delivered to each tenant household or to each commercial tenant as applicable, of the subject real property;
 2. **Project Applicant.** Notice shall be mailed or delivered to the project applicant;
 3. **Local Agencies.** Notice of the hearing shall be mailed or delivered 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;
 4. **Public Notification Surrounding Property Owners.**
 - a. (1) For residential or commercial projects, notice of the hearing shall be mailed or delivered to all owners of real property as shown on the latest equalized assessment roll within ~~seven~~ three hundred and fifty feet (75300') of the real property that is the subject of the hearing. Notice of hearing shall also be mailed or delivered to all ~~tenant households or commercial tenants~~, as applicable, of real property that is located within ~~threeseven~~ three hundred and fifty feet (75300') of the ~~residential or commercial~~ real property that is subject to the hearing.
 - (2) For all industrial, institutional or City projects, notice of the hearing shall be mailed or delivered to all owners of real property as shown on the latest equalized assessment roll within one thousand feet (1,000') of the real property that is the subject of the hearing. Notice of hearing shall also be mailed or delivered to all ~~tenant households or commercial tenants~~, as applicable, of real property that is located within one thousand feet (1,000') of the ~~institutional or City project~~ real property that is subject to the hearing.
 - (3) The notification radius for mailed notices shall be extended in the following circumstances:
 - i. Projects within 300-feet of any residential zone – extend radius 200 feet, for a notification radius of 500 feet
 - ii. Projects requesting reduced or shared parking: extend radius by 450 feet, for a notification radius of 750 feet
 - iii. When the use has a buffer requirement (such as a 500-foot separation), increase the notification radius to match the buffer requirement

(34) For notices on City-owned property in the Port of Long Beach and the Long Beach Airport, notices shall also be mailed and delivered to the leasehold interests on those properties. Notices sent to leaseholders shall count in determination of the twenty (20) notice minimum.

(45) In lieu of utilizing the assessment roll, the City may utilize records of the county assessor or tax collector which contain more recent information than the assessment roll. In no event shall less than a minimum of twenty (20) nearest property owners, or owners and leaseholders as specified above, be notified.

(55) Notice of the hearing shall also be mailed or delivered to resident managers of any multifamily residential rental units where the property owner is not an on-site occupant when the fact of nonoccupancy is known to the person charged with the responsibility of mailing or delivering notice.

(76) Measurement of the distance for notification pursuant to this Subsection shall begin at the property boundary of the real property that is the subject of the hearing.

~~(8) Whenever the number of properties to whom notice would be mailed or delivered exceeds one thousand (1,000), the City may provide notice by placing a display advertisement of at least one-eighth (1/8) page in at least one newspaper of general circulation within the jurisdiction where the hearing is being conducted.~~

(9) All notices, regardless of radius, shall be posted to the City's website, along with other forms of electronic communication that are specified with an approved electronic communications policy.

b. In a City-initiated zoning remapping program, if the number of ~~owners-properties~~ to whom notice would be mailed or delivered pursuant to this Subsection is greater than one thousand (1,000), the City, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth (1/8) page in at least one (1) newspaper of general circulation within the local agency in which the proceeding is conducted at least ten (10) and not more than forty-five (45) days prior to the hearing; and

5. Posting.

a. Notice of the hearing shall be posted at least fourteen (14) days prior to the hearing in at least three (3) public places within the boundaries of the City, including one (1) public place in the area, if any, most directly affected by the proceedings. In addition, the applicant or owner of the real property which is the subject of the hearing shall post a sign of at least thirty inches (30") by forty inches (40") on each street face of the real property that is the subject of the hearing, the content of which sign shall be subject to the prior approval of development services staff.

b. Building height variance applicants shall erect story poles which accurately represent the full extent of the proposed structure to the satisfaction of the Director of Development Services, including decks and eaves, at least fourteen (14) calendar days prior to the first public hearing and remain in place through the end of the appeal period.

6. **Noticing of Actions in the Coastal Zone.** Additionally, when notice is required to be given for any matter in the coastal zone, in addition to any and all other notices required by this Subsection, notice shall be mailed to the California Coastal Commission and to all persons requesting notice for the individual matter or for all coastal zone hearings, and to all residents within one hundred feet (100') of the site.

C. For noticing of a zoning ordinance amendment:

1. **Publishing Advertisement.** Notice of the hearing shall be published pursuant to Section 6061 of the California Government Code in at least one (1) newspaper of general circulation within the City;

2. **Posting.** Notice of the hearing shall be posted at least fourteen (14) days prior to the hearing in at least three (3) public places within the boundaries of the City, including one (1) public place in the area, if any, most directly affected by the proceeding;
3. **Mailing.** Notice of the hearing shall be mailed, together with all proposed changes, additions, modifications or deletions to all City libraries and to anyone requesting such notice; and
4. **Amendments in the Coastal Zone.** For any matter in the coastal zone, in addition to any and all other notices required by this Subsection, notice shall be mailed to the California Coastal Commission and to all persons requesting notice for the individual matter or for all coastal zone hearings, and to all residents within one hundred feet (100') of the site.

D. For Noticing of Appeals:

1. **Responsibility for Noticing.** A notice of the public hearing on the appeal shall be mailed by the Department of Development Services for appeals to the City Planning Commission, and by the City Clerk for appeals to the City Council.

The 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.

2. **Persons to be Noticed.** Notice of the hearing shall be mailed to the applicant and to all persons entitled to mailed notice and to any known aggrieved person, as specified in Subsection 21.21.302.B, not less than ten (10) days prior to the hearing. A person shall not be considered aggrieved for purposes of receiving this notice if the only indication of interest is the signing of a petition unless that person indicates on the petition that he wishes to receive notice.
3. **Appeals in the Coastal Zone.** For any matter in the coastal zone, in addition to any and all other notices required by this Subsection, notice shall be mailed to the California Coastal Commission and to all persons requesting notice for the individual matter or for all coastal zone hearings, and to all residents within one hundred feet (100') of the site.

(ORD-09-0016, § 1, 2009; ORD-08-0020 § 1, 2008; Ord. C-7247 § 2, 1994; Ord. C-7032 § 7, 1992; Ord. C-6589 § 1, 1989)

21.21.304 - Content of notices.

All notices shall contain, as a minimum, the following information:

- A. The applicant's name;
- B. The filing date;
- C. The case number for the project;
- D. The location of the project, including an indication of whether it is in the coastal zone;
- E. An indication of whether the project is appealable to the Coastal Commission;
- F. A description of the project;
- G. The reason for the public hearing;
- H. The date, time and place of the public hearing;
- I. The general procedures for the hearing and the receipt of public comments;
- J. The means for appeal, including an appeal to the Coastal Commission when applicable; and
- K. 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".

(Ord. C-6533 § 1 (part), 1988)

21.21.306 - Evidence of notice.

- A. **Documentation.** When notice for any hearing is given pursuant to this Division, the following documentation shall be deemed sufficient to serve as proof that such notice was given pursuant to the requirements of law:
1. **Publication.** When notice is given by publication, an affidavit of publication by the newspaper in which publication is made showing, among other things, the date or dates of publication;
 2. **Mailing or Delivery.** When notice is given by mailing or delivery, an affidavit or proof of mailing/delivery showing, among other things, the date or dates of mailing/delivery, the person making such mailing/delivery and the persons and entities to which mailing/delivery is made;
 3. **Posting.** When notice is given by posting, an affidavit or proof of posting showing, among other things, the date or dates of posting, the person making or causing such posting to be made and the location at which posting was made.
- B. **Official Files Required.** All documentation provided for in this Section shall be maintained in the official files of the hearing for which notice was given.
- C. **Failure to Provide Documentation or Receive Notice.** Failure of documentation to be prepared or maintained pursuant to this Section shall not constitute grounds for any court to invalidate the actions of the City for which the notice was given nor shall the failure of any person or entity to receive notice given pursuant to this Division constitute grounds for any court to invalidate the actions of the City for which the notice was given.

(Ord. C-6533 § 1 (part), 1988)

Addition to CHAPTER 21.25 - SPECIFIC PROCEDURES

21.25.905 – Administrative Land Use Review

This Section establishes procedures for conducting review of by-right land uses and structures to verify that any new or expanded use or structure complies with all of the applicable requirements of this Code.

- A. **Applicability.** Administrative Land Use Review is required for buildings or structures erected, constructed, altered, repaired or moved, the use of vacant land, changes in the character of the use of land or building, or for substantial expansions in the use of land or building, which are allowed as a matter of right by this Code.
- B. **Application.** Applications and fees for Administrative Land Use Review shall be submitted in accordance with the provisions set forth in Chapter 21.21.201, Application. The Zoning Administrator may request that the Administrative Land Use Review application be accompanied by a written narrative, plans and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all provisions of this Code and the requirements and conditions of any applicable Site Plan, Conditional Use Permit or Variance approval.
- C. **Determination.** If the Zoning Administrator determines that the proposed use or building is allowed as a matter of right by this Code, and conforms to all the applicable development and use standards, the Director shall issue written notice of the Administrative Land Use Review determination within 30 days of the date of receipt of a completed application. An approved Administrative Land Use Review may include attachments of other written or graphic information, including but not limited to, statements, numeric data, site plans, floor plans and building elevations and sections, as a record of the proposal's conformity with the applicable regulations of this Code.
- D. **Exceptions.** Administrative Land Use Review is not required for the continuation of previously approved or permitted uses and structures, or uses and structures that are not subject to any building or development code regulations.
- E. **Appeals.** Administrative Land Use Review decisions are subject to the appeal provisions of Chapter 21.21, Appeals.

Changes to CHAPTER 21.31 - RESIDENTIAL DISTRICTS

DIVISION I. - PERMITTED USES

21.31.110 - Permitted uses.

Table 31-1 indicates all uses permitted (Y), not permitted (N), permitted by conditional use permit (C), permitted as an accessory use (A) and permitted as a temporary use (T) in the residential zones. Permitted uses with an asterisk (*) are subject to special development standards contained in Chapter 21.45 of this Title. Accessory uses, conditional uses and temporary uses also have special development standards, as set forth in Chapters 21.51, 21.52 and 21.53, respectively.

(Ord. C-7247 § 8, 1994; Ord. C-6933 § 12, 1991; Ord. C-6895 § 8, 1991; Ord. C-6684 § 41 (part), 1990; Ord. C-6533 § 1 (part), 1988)

21.31.120 - Prohibited uses.

All uses not listed in Table 31-1 as permitted uses, conditional uses, accessory uses or temporary uses, including recreational or other vehicles occupied as a dwelling unit, are prohibited in residential zone districts.

(Ord. C-6684 § 41 (part), 1990; Ord. C-6533 § 1 (part), 1988)

**Table 31-1
Uses in Residential Zones**

Residential Zone District Land Use	R- 1- S	R- 1- M	R- 1- L	R- 1- N	R- 1-T	R- 2-S	R- 2- I	R- 2- L	R- 2- N	R- 2-A	R- 3- S	R- 3- 4	R- 3- T	R- 4- R	R- 4- N	R- 4- H(d)	R- 4- U	R- M	R- 4- M	R - 4 - P
Residential Uses																				
Single-family detached	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y
Single-family attached	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y
Duplex	N	N	N	N	Y(b)	Y(b)	Y	Y	Y	Y(c)	Y	Y	Y	Y	Y	Y	Y	N	N	Y
Three-family dwelling	N	N	N	N	N	N	N	N	N	Y	Y	Y	N	Y	Y	Y	Y	N	N	Y

Four-family dwelling		N	N	N	N	N	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	N	N	Y
Multi-family dwelling		N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	Y
Townhouse		N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	
Modular or manufactured housing unit placed on a permanent foundation		Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	Y	Y	N	
Mobile home park (as to unsold spaces) (see Section 21.52.243)		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Y	N	
Subdivision of existing mobile home park (see Section 21.52.244)																				C	
Accessory dwelling unit (see Section 21.51.276)	Limited accessory dwelling unit	A	A	A	A	A	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Conforming accessory dwelling unit	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	N	N	N
Special group residence (senior citizen housing, handicapped housing, residential care facility, communal housing, convalescent hospital) (see Section		N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N

Residential Zone District Land Use	R-1-S	R-1-M	R-1-L	R-1-N	R-1-T	R-2-S	R-2-I	R-2-L	R-2-N	R-2-A	R-3-S	R-3-4	R-3-T	R-4-R	R-4-N	R-4-H(d)	R-4-U	R-M	R-4-M	RP
Other Uses																				
Carnival, fiesta, other outdoor exhibition or celebration (see Section 21.53.109)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	N	T
Church (see Section 21.51.213)	N	N	N	C	N	N	N	N	C	C	C	C	C	C	C	C	C	N	N	N
Common recreational facilities (permitted only for multi-family developments with 21 or more units)	N	N	N	N	N	N	N	N	N	N	N	N	A	A	A	A	A	A	Y	Y
Construction trailer (see Section 21.53.103)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	N	T
Courtesy parking for nonresidential use (see Section 21.52.221)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	A	C	C	N	N
Child daycare home - small or large facility (1-14 persons) (see Section 21.51.230)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	N	A
Daycare center (15 or more persons) (see Section 21.52.249)	C	C	C	C	C	C	C	C	C	C	€ <u>Y</u>	€ <u>Y</u>	€ <u>Y</u>	€ <u>Y</u>	€ <u>Y</u>	€ <u>Y</u>	€ <u>Y</u>	C	N	N
Detached accessory room (see Section 21.31.245)	N	N	A	A	A	N	N	A	A	A	A	A	A	A	A	A	A	N	Y	N

Residential Zone District Land Use	R-1-S	R-1-M	R-1-L	R-1-N	R-1-T	R-2-S	R-2-I	R-2-L	R-2-N	R-2-A	R-3-S	R-3-4	R-3-T	R-4-R	R-4-N	R-4-H(d)	R-4-U	R-M	R-4-M	RP	
Electrical distribution station (see Section 21.52.223)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C	C	N	N
Group home (1–6 persons) (see Section 21.15.1200)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Home occupation (see Section 21.51.235)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y	A
Interim Parks																					
a. Community gardens (see Section 21.52.260)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	IP
b. Passive parks (see Section 21.45.155)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	IP
c. Playgrounds (see Section 21.52.260)	IP	IP	IP	IP	IP	P	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	Y	IP	

Residential Zone District Land Use	R-1-S	R-1-M	R-1-L	R-1-N	R-1-T	R-2-S	R-2-I	R-2-L	R-2-N	R-2-A	R-3-S	R-3-4	R-3-T	R-4-R	R-4-N	R-4-H(d)	R-4-U	R-M	R-4-M	RP
d. Recreational parks (see Section 21.52.260)	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	N	IP
Private school (elementary) (see Section 21.52.263)	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C	N	N	N

Recreational vehicles - parking and storage (see Section 21.41.276)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y	N
Room rentals (see Section 21.51.270)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y	A
Sandwiched lot development (see Section 21.52.270)	N	N	N	C	N	N	N	N	C	C	C	C	C	N	N	N	N	N	N	N
Storage of chattel (see Section 21.51.290)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Trailer or dwelling unit used as home sales office	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Vehicle parking and storage (see Sections 21.41.281 and 21.41.283)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Wireless telecommunications facilities (see Chapter 21.56)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Abbreviations:

Y = Yes (permitted use).

N = Not permitted.

C = Conditional use permit required. Refer to provisions in Chapter 21.52.

A = Accessory use. Permitted subject to provisions contained in Chapter 21.51.

T = Temporary Use. Permitted subject to provisions contained in Chapter 21.53.

AP = Administrative use Permit required. Refer to provisions in Chapter 21.52.

IP = Interim park use permit required. Refer to provisions in Chapter 21.52.

Notes:

(a) Retail and office commercial uses are subject to the development standards specified in Section 21.45.160.

(b) Unless the site can provide 4 independently accessible parking spaces, one unit is limited to 450 sq. ft. as a zero bedroom.

(c) One unit shall not exceed 800 sq. ft. or 12 percent of lot area, whichever is greater. The 800 sq. ft. limit shall apply to the rear unit. If both units exceed 800 sq. ft., the rear unit, or bottom unit in a stacked duplex, shall be considered the legal nonconforming unit.

(d) For commercial uses permitted in the R-4-H zone see Section 21.45.160.

(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.

(g) Adult-Use Cannabis Businesses prohibited.

(ORD-17-0031 § 9(Exh. A), 2017; ORD-17-0024 § 1(Exh. A), 2017; ORD-16-0015 § 1(Exh. A), 2016; ORD-15-0037 § 2(Att. A), 2015; ORD-11-0011 § 1(Exh. A), 2011; ORD-07-0019 § 1, 2007; ORD-06-0058 § 1(Att. 1), 2006; Ord. C-7629 § 3, 1999; Ord. C-7550 § 5, 1998; Ord. C-7399 § 3, 1996; Ord. C-7378 §§ 3, 4, 1995)

Changes to CHAPTER 21.32 - COMMERCIAL DISTRICTS

21.32.010 - Purpose.

The commercial districts are established to create, preserve and enhance areas for a variety of commercial activity. The intent of this Chapter is to assure the compatible and mutually beneficial interaction of commercial uses with residential consumers, industrial suppliers, and the transportation system that ties all of the uses together.

(Ord. C-6684 § 42 (part), 1990: Ord. C-6533 § 1 (part), 1988)

21.32.020 - Districts established.

Twelve (12) commercial districts are established by this Chapter as follows:

A. Commercial Zoning Districts Of General Applicability.

1. The CO-Office Commercial District permits mixed residential and commercial uses along major arterial routes. This District implements Land Use District No. 8M of the General Plan.
2. The CH-Highway Commercial District preserves and enhances areas for automobile-oriented commercial uses. The District recognizes the need for many commercial uses to have large frontages and high visibility along major highways. This District implements Land Use District No. 8A of the General Plan.
3. The CT-Tourist and Entertainment Commercial District creates, preserves and enhances areas for the development of a major tourist and entertainment industry for the City. The District recognizes that such areas have special requirements for intense and unique uses, transportation linkages, and aesthetically pleasing environments.

B. Neighborhood Commercial Zoning Districts. The Neighborhood Commercial Zoning District provides small scale, neighborhood compatible uses. Scale is determined by the size of adjoining residential uses, the commercial lot size and the commercial street width. Special scale restrictions apply in these districts. There are three (3) types of Neighborhood Commercial Districts:

1. The Neighborhood Pedestrian (CNP) District is oriented towards serving pedestrians with buildings located at the front setback and parking behind the buildings.
2. The Neighborhood Automobile-Oriented (CNA) District is auto-oriented with buildings set back from the front property line and parking located between the building and the street.
3. The Neighborhood Commercial and Residential (CNR) District is a mixed-use district permitting small scale commercial uses and/or moderate density residential development at R-3-T densities.

C. Community Commercial Zoning Districts. The Community Commercial Zoning Districts provide medium scale uses which may require buffering to ensure compatibility with adjacent neighborhood uses. These districts are located on major or minor arterials, located on larger lot sizes and adjoining larger scale residential neighborhood uses or are buffered from smaller scale residential neighborhoods. There are four (4) types of Community Commercial Districts:

1. The Community Automobile-Oriented (CCA) District permits retail and service uses for an entire community including convenience and comparison shopping goods and associated services.

2. The Community Pedestrian-Oriented (CCP) District permits retail and service uses with a development character where buildings are built to the street property line and parking is to the side or the rear.
 3. The Community R-4-R (CCR) District is similar to the Community Auto-Oriented District, but also permits moderate density residential development at R-4-R densities.
 4. The Community R-4-N (CCN) District is similar to the Community Auto-Oriented District, but also permits medium density residential development at R-4-N densities.
- D. **Regional Commercial Zoning District.** The Regional Commercial District provides for large scale, mixed uses on large sites in activity centers. These sites are located on major arterial streets and regional traffic corridors. There is one (1) type of Regional Scale Zone:
1. The Regional Highway District (CHW) is a commercial use district for mixed scale commercial uses located along major arterial streets and regional traffic corridors. Residential use is not permitted.
- E. **Commercial Storage Zoning District.** The Commercial Storage (CS) District encourages storage uses in areas which are particularly difficult to use due to parcel shape, access, adverse environmental conditions, or in areas where parcels are needed to form a buffer from incompatible uses.

(Ord. C-7663 § 8, 1999; Ord. C-7047 § 7, 1992; Ord. C-6933 §§ 23, 24, 1991; Ord. C-6684 § 42 (part), 1990; Ord. C-6533 § 1 (part), 1988)

21.32.030 - Site plan review.

Site plan review shall be required pursuant to Division V of Chapter 21.25 (Specific Procedures).

(Ord. C-7326 § 12, 1995; Ord. C-7047 § 8, 1992; Ord. C-6684 § 42 (part), 1990; Ord. C-6533 § 1 (part), 1988)

21.32.035 - Adult Entertainment business.

Any business considered an "adult Entertainment business" as defined in Subsections 21.15.110.A through 21.15.110.K of this Title shall be subject to special locational standards as indicated in Chapter 21.45 (Special Development Standards).

(Ord. C-6684 § 42 (part), 1990; Ord. C-6533 § 1 (part), 1988)

21.32.040 - Reclassification of district.

Any reference to the CR (Retail Center) and CC (Commercial Corridor) Districts shall be treated as a reference to the CCA District.

(Ord. C-7663 § 9, 1999; Ord. C-6684 § 42 (part), 1990)

DIVISION I. - PERMITTED USES

21.32.110 - Permitted uses.

The principal use in all commercial districts shall be commercial, although some districts are intended for mixed commercial and residential uses. Tables 32-1A and 32-1 indicate the classes of uses permitted

(Y), not permitted (N), permitted as a conditional use (C), permitted as an administrative use (AP), permitted as an accessory use (A), and permitted as a temporary use (T) in all districts. An asterisk (*) indicates that a use is permitted subject to specific development standards outlined in Chapter 21.45 (Special Development Standards) of this Title.

(Ord. C-7663 § 10, 1999; Ord. C-7247 § 13, 1994; Ord. C-7127 § 2, 1993; Ord. C-7047 §§ 9, 10, 1992; Ord. C-6933 § 25, 1991; Ord. C-6895 §§ 12, 13, 1991; Ord. C-6822 § 12, 1990; Ord. C-6684 § 42 (part), 1990; Ord. C-6533 § 1 (part), 1988)

21.32.120 - Prohibited uses.

Any use not specifically permitted by Section 21.32.110, Tables 32-1A and 32-1, shall be prohibited, and no commercial uses shall be allowed outside of a building unless indicated as an outdoor use in Tables 32-1A and 32-1.

(Ord. C-7663 § 11, 1999; Ord. C-7127 § 2, 1993; Ord. C-7047 § 11, 1992; Ord. C-7040 § 1, 1992; Ord. C-6895 § 14, 1991; Ord. C-6684 § 42 (part), 1990; Ord. C-6533 § 1 (part), 1988)

21.32.130 - Transition between old and new commercial zones.

Tables 32-1A and 32-1 represent two (2) sets of commercial zones permitted uses. Table 32-1 contains new commercial zones adopted by the City Council on October 20, 1992. It is the intent of the City, within a specified period of time, to rezone all commercial properties from the zones in Table 32-1A to the zones in Table 32-1 and to repeal Table 32-1A when the rezoning of all commercial properties is complete.

During the "transitional period", all uses listed in the CNP, Neighborhood Pedestrian District, Table 32-1, either permitted by right (Y), by a conditional use permit (C), by an administrative use permit (AP), as an accessory use (A), or as a temporary use (T) shall be permitted in the same manner for properties located in the existing CO, CH and CT Zones in addition to those uses Otherwise permitted in the zone in question. If there is a conflict of the use regulation between the use table of the CNP Zone under Table 32-1 and that of an old commercial zone under Table 32-1A, the least restrictive zone shall govern. The "transitional period" shall be that period of time from and after the effective date of this Ordinance to December 31, 2000. On and after January 1, 2001, Table 32-1A shall be deemed repealed and of no further force and effect.

(Ord. C-7663 § 12, 1999; Ord. C-7326 § 13, 1995; Ord. C-7127 § 7, 1993)

**Table 32-1
Uses In All Other Commercial Zoning Districts**

	Neighborhood			Community				Regional	Other	
Alcoholic Beverage Manufacturing and Accessory Tasting Room	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Alcohol Beverage Manufacturing*	Y	Y	Y	Y	Y	Y	Y	Y	Y	*Subject to special development standards (See Section 21.45.114).
Accessory Tasting Room*	A	A	A	A	A	A	A	A	A	Alcoholic Beverage Manufacturing and Accessory tasting room uses shall be permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.114.

	Neighborhood			Community				Regional	Other	
Alcoholic Beverage Sales	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	Note: The concentration of existing ABC licenses and the area crime rate are factors considered in reviewing applications for alcohol sales.
Off-premises sales within 500 ft. of district allowing residential uses	C	C	C	C	C	C	C	C	N	For alcoholic beverage sales exempted from the CUP process, see footnote (1), Section 21.XX.XXX

Off-premises sales more than 500 ft. from district allowing residential uses	N/A	N/A	N/A	C	C	N/A	N/A	C	N
On-premises sales within 500 ft. of district allowing residential uses	C	C	C	C	C	C	C	C	N
On-premises sales more than 500 ft. from district allowing residential uses	N/A	N/A	N/A	C	C	N/A	N/A	C	N

	Neighborhood			Community				Regional	Other	
Automobile (Vehicle) Uses	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	Note: All outdoor display, storage, service and repair of vehicles is subject to special standards (see Chapter 21.45).
Auto detailing	A	A	A	A	A	A	A	A	C	Accessory to an auto related use such as auto repair or car wash. Mobile businesses prohibited.
Auto detailing (with hand held machines only)	AP	AP	AP	Y	Y	Y	Y	Y	C	Mobile businesses prohibited.
Car wash	N	N	N	C	C	C	C	AP	C	
Diesel fuel sales	N	N	N	AP	AP	AP	AP	AP	N	See Section 21.52.222.
Gasoline sales	N	C	N	Y	Y	Y	Y	Y	N	

General auto repair (bodywork, painting, etc.)	N	N	N	N	N	N	N	C	N	
Limousine service (does not include auto repair)	N	N	N	Y	Y	AP	AP	Y	N	Nonconforming parking rights do not apply (see Section 21.27.070).
Minor auto repair, tune up and lube, smog test	N	N	N	C	C	C	C	Y	N	
Motorcycle/jet ski sales and repair	N	N	N	C	C	N	N	C	N	See also industrial zones, table 33-1.
Parking service-principal use	C	C	C	Y	C	Y	Y	Y	C	
Recreational vehicle storage	N	N	N	N	N	N	N	N	C	
Rental agency (does not include repair)	N	N	N	Y	Y	AP	AP	Y	N	Permitted near airport, hotels, etc. See applicable PD zones.
Sales (does not include auto repair)	N	N	N	N	N	N	N	Y	N	
Towing	N	N	N	A	A	A	A	A	A	Accessory to general and minor auto repair.
Vehicle parts (with installation); tire store	N	N	N	C	C	C	C	C	N	
Vehicle parts (without installation)	N	AP	N	AP	AP	AP	AP	Y	N	

	Neighborhood			Community				Regional	Other	
Billboards	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Billboards	N	N	N	N	N	N	N	C	C	Subject to special standards (see Chapter 21.54). Non-freeway-oriented billboards prohibited in CS district.

	Neighborhood			Community				Regional	Other	
Business Office Support	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Copy, fax, mail box, or supplies	Y	Y	Y	Y	Y	Y	Y	Y	N	
Equipment sales, rental, or repair	Y	Y	Y	Y	Y	Y	Y	Y	N	Also permitted in industrial zones (see table 33-1).
Offset printing	N	AP	N	AP	N	AP	AP	Y	N	

	Neighborhood			Community				Regional	Other	
Entertainment	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Amusement machines (4 or fewer)	A	A	A	A	A	A	A	A	A	See Section 21.51.205 (accessory uses).
Banquet room rental	A	A	A	A	A	A	A	A	N	Accessory to restaurant only (see Section 21.51.215).
Dancing (accessory use)	N	N	N	Y	Y	Y	Y	Y	N	Accessory to restaurant, tavern, club. City council hearing is required for new

											and transferred business licenses.
Drive-in theater	N	N	N	N	N	N	N	N	N	N	
Live or movie theater (w/100 seats or less)	AP	AP	AP	AP	AP	AP	AP	AP	Y	N	For theaters w/more than 100 seats, see "Movie theater".

**Table 32-1
Uses In All Other Commercial Zoning Districts**

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Entertainment (cont'd)	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Mock boxing or wrestling	N	N	N	N	N	N	N	Y	N	City council hearing is required for new and transferred business licenses.
Movie theater (or live theater w/100+ seats)	N	N	N	C	C	C	C	C	N	
Pool tables (up to 3 tables)	A	A	A	A	A	A	A	A	N	Accessory to restaurant, tavern, club (see Section 21.51.260).
Private club, social club, nightclub, pool hall or hall rental within 500 ft. of district allowing residential uses	N	N	N	C	C	C	C	C	C	City council hearing is required for new and transferred business licenses.
Restaurant with entertainment	Y	Y	Y	Y	Y	Y	Y	Y	N	City council hearing is required for new and transferred

											business licenses.
Other entertainment uses (arcade, bowling alley, computer arcade, miniature golf, tennis club, skating rink)	N	N	N	C	C	C	C	C	C	N	See Section 21.52.203 (arcades) and Section 21.52.220.5 (computer arcades).

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
ATM 1. Walk up or freestanding machine on interior of building; walk up machine on exterior of building	Y	Y	Y	Y	Y	Y	Y	Y	N	1., 2. Requires 2 (5 minute) parking spaces for each ATM machine. Spaces must be located within 100 ft. Such spaces may be existing required parking.
2. Freestanding machine, exterior	AP	AP	AP	AP	AP	AP	AP	AP	N	
3. Drive-thru machine	N	AP	N	AP	C	AP	AP	AP	N	3. For drive-thru machine see standards for drive-thru lane in Section 21.45.130.
Bank, credit union, savings and loan, commercial and industrial loans	AP	Y	Y	Y	Y	Y	Y	Y	N	Bank, credit union, and savings and loan in the CNP zone subject to standards in Section 21.52.208. *This does not include car title loans or signature loan businesses as a primary

											use.
Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale of phone cards	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	

**Table 32-1
Uses In All Other Commercial Zoning Districts**

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Financial Services (cont'd)										
Car title loans	N	N	N	C	C	C	C	C	N	Car title loan, check cashing, pay day loan and signature loan businesses are subject to standards in Sections 21.45.116 and 21.52.212.
Check cashing	N	N	N	C	C	C	C	C	N	
Money orders, money transfers	Y	Y	Y	Y	Y	Y	Y	Y	N	
Payday loans	N	N	N	C	C	C	C	C	N	
Signature loans	N	N	N	C	C	C	C	C	N	
Escrow, stocks and bonds broker	Y	Y	Y	Y	Y	Y	Y	Y	N	
All financial services not	N	N	N	C	C	C	C	C	N	

equipment, bicycles, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding)											
Catering, party counseling (without trucks)	Y	Y	Y	Y	Y	Y	Y	Y	N	For catering with trucks, see industrial zones, table 33-1.	
Fitness center/health club, dance/karate studio, fortunetelling	Y	Y	Y	Y	Y	Y	Y	Y	N	Limited to 5,000 square feet in neighborhood zones.	
Gun repair shop	AP	AP	AP	AP	AP	AP	AP	Y	N		
House cleaning service	Y	Y	Y	Y	Y	Y	Y	Y	N		
Laundromat	<u>Y</u> AP	AP <u>Y</u>	AP <u>Y</u>	AP <u>Y</u>	AP <u>Y</u>	AP <u>Y</u>	AP <u>Y</u>	AP <u>Y</u>	AP <u>Y</u>	N	<u>See Section 21.52.???</u>
Laundry (commercial customers)	N	N	N	N	N	N	N	N	N	N	Permitted in industrial zones only.
Massage therapy	A	A	A	A	A	A	A	A	A	A	Special conditions (see Section 21.51.243). Special adult entertainment standards for massage parlor (see Section 21.45.110).
Recycling center	N	N	N	N	N	N	N	N	N	N	Permitted in industrial zones only.
Recycling collection center for cans and	N	N	N	AP	AP	AP	AP	AP	AP	N	

bottles (staff attended)											
Recycling containers for cans and bottles	A	A	A	A	A	A	A	A	A	N	Accessory to a grocery store only (see Section 21.51.265)
Repair shop (stove, refrigerator, upholstery, lawn mowers, etc.)	N	N	N	C	C	C	C	Y	Y	N	For small appliance repair, see "basic personal services".
Self-storage (indoor only)	N	N	N	N	N	N	N	N	N	C	
Shoe repair	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
Shoeshine stand (indoor/outdoor)	A	A	A	A	A	A	A	A	A	A	Accessory to barber, car wash, grocery, hotel, office, or restaurant use.
Tattoo parlor	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Subject to special development standards (See Section 21.45.166). Tattoo parlors shall be permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.166.
Termite and pest control	N	N	N	N	N	N	N	N	C	N	See "miscellaneous storage of hazardous materials".
Veterinary clinic with boarding	N	N	N	C	C	C	C	C	C	N	See also "basic personal services".

All personal services not listed	AP	AP	AP	AP	AP	AP	AP	AP	AP	N	
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	Neighborhood			Community				Regional	Other
Professional Services	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS
Accounting, advertising, architecture, artist studio, bookkeeping, business headquarters, chiropractic, computer programming, consulting, contracting, dentistry, engineering, insurance, law, marketing, medicine, lab testing, photography, psychiatry, psychology, real estate, or tax preparation	Y	Y	Y	Y	Y	Y	Y	Y	N
All professional offices not listed	AP	AP	AP	AP	AP	AP	AP	AP	N

	Neighborhood			Community				Regional	Other	
Residential Uses	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Artist studio with residence	AP	AP	AP	AP	AP	AP	AP	AP	N	
Caretaker residence	AP	AP	AP	AP	AP	AP	AP	AP	AP	
Group home (care of 6 or less)	N	N	Y	N	N	Y	Y	N	N	
<u>Live-Work Units</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>See Section 21.52.204</u>
Residential care facility (care of 7 or more)	N	N	N	N	N	C	C	N	N	

Vending carts	AP	AP	AP	AP	AP	AP	AP	AP	N	Special standards apply (see Section 21.45.170).
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	Neighborhood			Community				Regional	Other	
Retail Services	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Adult-Use Cannabis Dispensary	Y	Y	Y	Y	Y	Y	Y	Y	N	Subject to requirements in 5.92
Basic retail sales (except uses listed below)	Y	Y	Y	Y	Y	Y	Y	Y	N	Used clothing, antiques, art, books (new and used), coins, collectibles, jewelry, and trading cards are included in "Basic Retail."
Building supply or hardware store with lumber, drywall, or masonry	N	N	N	Y	Y	Y	Y	Y	N	For hardware store without lumber, drywall, or masonry, see "Basic Retail Sales."
Gun shop	AP	AP	AP	AP	AP	AP	AP	Y	N	
Major household appliances (refrig./stove/ etc.)	N	N	N	Y	Y	Y	Y	Y	N	
Manufacture of products sold on-site	A	A	A	A	A	A	A	A	A	See Section 21.51.240.
Merchandise mall, indoor swap meet	N	N	N	C	C	C	C	C	N	
Outdoor sales events (flea mkts./swap meet)	N	N	N	C	C	C	C	C	N	

Outdoor vending 1. Flower, plant, fruit, or vegetables in conjunction with sale of related products from a retail store	A	A	A	A	A	A	A	A	N	1. See Section 21.51.255.
2. Food carts	AP	AP	AP	AP	AP	AP	AP	AP	N	2. See Section 21.45.170.
3. Flower cart or news cart	Y	Y	Y	Y	Y	Y	Y	Y	Y	3. See Section 21.45.135.
4. Mobile food truck at construction sites	T	T	T	T	T	T	T	T	T	4. See Section 21.53.106.

	Neighborhood			Community				Regional	Other	
Retail Services (cont'd)	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Pawn shop	N	N	N	C	C	C	C	C	N	
Thrift store, used Secondhand store merchandise	<u>AP</u> <u>Y</u>	<u>AP</u> <u>Y</u>	<u>AP</u> <u>Y</u>	<u>AP</u> <u>Y</u>	<u>AP</u> <u>Y</u>	<u>AP</u> <u>Y</u>	<u>AP</u> <u>Y</u>	Y	N	<u>See Section</u> <u>21.52.281</u> Also see note under "Basic Retail."
Vending machines	A	A	A	A	A	A	A	A	A	Accessory to existing retail sales. See Section 21.51.295.
Temporary Lodging										
Bed and breakfast inn	AP	AP	AP	AP	AP	AP	AP	AP	N	
Hotel	N	N	N	C	C	C	C	C	N	
Inn	N	N	N	AP	AP	AP	AP	N	N	

Motel	N	N	N	N	N	N	N	C	N	
Shelters	N	N	N	N	N	C	C	N	N	
Temporary Uses										
Carnival, event, fair, trade show, etc.	T	T	T	T	T	T	T	T	T	
Construction trailer	T	T	T	T	T	T	T	T	T	

	Neighborhood			Community				Regional	Other	
Transportation and Communication Facilities	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Communication facilities: A. Freestanding/ monopole cellular and personal communication services	C	C	C	C	C	C	C	C	C	See Section 21.52.210.
B. Attached/roof mounted cellular and personal communication services	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.45.115.
C. Electrical distribution station	C	C	C	C	C	C	C	C	N	
Transportation facilities (bus terminals, cab stands, heliports,	N	N	N	N	N	N	N	C	N	

helistops)										
Wireless telecommunications facilities	C	C	C	C	C	C	C	C	C	See Chapter 21.56
Miscellaneous										
Storage of hazardous materials accessory to principal use (such as pest control)	C	C	C	C	C	C	C	C	C	N A conditional use permit is required only if amount of material stored exceeds 55 gal. of liquid, 500 lbs. of solids, 200 cubic ft. of compressed gas or any amount of acutely hazardous material.
Unattended Donation Box	A	A	A	A	A	A	A	A	A	A Subject to accessory use standards (see Section 21.51.294). Unattended Donation Box shall be permitted in all Planned Development (PD) Districts and Specific Plan (SP) Districts allowing commercial uses, subject to Section 21.41.294.

Abbreviations:

Y = Yes (permitted use).

N = Not permitted.

C = Conditional use permit required. For special conditions, see Chapter 21.52.

A = Accessory use. For special development standards, see Chapter 21.51.

AP = Administrative use permit required. For special conditions, see Chapter 21.52.

T = Temporary use subject to provisions contained in Chapter 21.53.

IP = Interim park use permit required. For special conditions, see Chapter 21.52.

Footnotes:

~~(1) The following alcoholic beverage sales may be exempted from the conditional use permit requirement:~~

~~a. Restaurants with alcoholic beverage service only with meals. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge without a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than thirty percent (30%) of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a conditional use permit to continue to sell alcohol.~~

~~b. Florist with accessory sale of alcoholic beverages.~~

~~c. Existing legal, nonconforming uses.~~

(2) All urban agriculture uses, whether by-right or permitted through an Administrative Use Permit, must meet the standards outlined in Section 21.52.260.

(ORD-17-0024 § 2(Exh. B), 2017; ORD. 15-0019 §§ 1, 2, 2015; ORD-15-0010 § 1, 2015; ORD-13-0025 § 2(Exh. A), 2013; ORD-13-0018 § 3(Exh. A), 2013; ORD-13-0022 § 2, 2013; ORD-13-0008 § 1, 2013; ORD-12-0006 § 3, 2012; ORD-11-0011 § 2(Exh. B), 2011; ORD-07-0044 § 1, 2007; Ord. C-7904 §§ 2, 3, 2004; Ord. C-7881 § 2, 2003; Ord. C-7776 § 8, 2001; Ord. C-7729 §§ 4, 5, 2001; Ord. C-7663 § 42, 1999)

**Table 32-1A
Uses In All Other Commercial Zoning Districts**

Use	CO	CH	CT
Retail Sales			
Antique furniture	Y	Y	Y
Audio equipment	N	Y	Y
Bakery (also see Ready-to-eat foods)	Y	Y	Y

Bicycle shop	Y	Y	Y
Book, stationery, video, card, gift or novelty shop	Y	Y	Y
Clothing store	Y	Y	Y
Coin, stamp, jewelry and art dealers	Y	Y	Y
Department store	N	N	Y
Discount store	N	Y	N
Drugstore	C	Y	Y
Floor and window covering	N	Y	Y
Florist, plant store (indoor)	Y	Y	Y
Flower and plant sales (outdoor)	A	A	A
Furniture store and accessories	N	Y	Y
Grocery	N	Y	Y
Hardware store (with building materials)	N	Y*	N
Hardware store (without building materials)	N	Y	Y
Hobby shop	Y	Y	Y
Itinerant vendor	T	T	T
Meat or fish market	Y	Y	Y
Merchandise mall	N	C	N
Motorcycle sale	N	C	N
Newspaper and magazine stands	Y	Y	Y

Outdoor fruit and vegetable sales	A	A	A
Outdoor sales events (flea markets, swap meets, and the like)	N	N	C
Pawn shops	N	C	N
Pet store (not including veterinarian)	N	Y	Y
Photographic equipment	Y	Y	Y
Sporting goods store	N	Y	N
Used merchandise (Other than antique furniture, audio equipment, clothing, coins, stamps, jewelry, art dealers, photographic equipment, and sporting goods)	N	C	N
Vehicle parts stores, tire stores and the like with installation	N	C	N
Vehicle parts stores, tire stores and the like without installation	N	Y	N
Vending machines	A	A	A
Manufacture of products sold on-site	A	A	A
All other retail uses	N	AP	AP
All retail uses allowed in CCA Zone if designated in General Plan (Land Use Element) as 8R	Y	N	N
Alcohol Sales Uses			
Alcohol sales uses (b)	N	C	C
Automobile Uses			
Auto service station, car wash, auto detailing	N	Y*	C*
Body work and painting	N	C*	N
General repair	N	C*	N
Rental (see vehicle rental—personal services)	-	-	-

Repair, tune-up and lube	N	Y*	N
Sales and installation of tires, batteries and accessories	N	C*	N
Sales (open)	N	Y	N
Sales (show room only)	N	Y	N

**Table 32-1A
Uses In All Other Commercial Zoning Districts**

Use	CO	CH	CT
Towing	A	A	A
Personal Services			
Barber, beauty shops, manicure shops	Y	Y	Y
Bicycle repair	Y	Y	Y
Catering—on-site food preparation	A	A	A
Collection center for recyclables	AP	AP	AP
Dog and cat grooming	N	Y	Y
Laundromat (no on-site dry cleaning) – See 21.52.XXX	N	Y	Y
Laundry, commercial customers	N	N	N
Laundry (including on-site cleaning with perchloroethylene or freon 12 systems)	Y	Y	Y
Locksmith	Y	Y	Y
Mail box rental	Y	Y	N
Masseuse/massage parlor	Y*	Y*	Y*

Office for home cleaning service	Y	Y	Y
Office for home improvement or repair uses (contractors, plumbers, electricians, carpenters and cabinetmakers with no on-site storage of materials)	N	Y	Y
Recycling centers for cans and bottles	N	N	N
Reducing salon, health or sports club	Y	Y	Y
Service and repair of home garden equipment	N	C	N
Service and repair of major household items	N	C	N
Shoe repair	Y	Y	Y
Shoe-shine parlor	A	A	A
Tailoring, millinery	Y	Y	Y
Tanning salon	Y	Y	Y
Tattoo parlor	N	C	C
Television, radio, stereo and small appliance repair	N	Y	Y
Termite and pest control	N	Y	Y
Vehicle rental services	C	Y*	C
Veterinary clinic (excluding grooming and pet store)	N	C	N
All other personal services	AP	AP	AP
All other personal services allowed in the CCA Zone in land use designations in General Plan (Land Use Element) for 8R	Y	N	N
Professional Services			
Accounting, tax preparation, bookkeeping	Y	Y	Y

Administrative office	Y	N	Y
Architect, contractor office (no vehicles or materials)	Y	Y	Y
Artist studio	Y	Y	Y
Artist studio with residence	AP	AP	AP
Computer program consulting services	Y	Y	Y
Insurance office	Y	Y	Y
Law office	Y	N	Y
Medical, dental, and psychiatric offices	Y	Y	Y
Real estate office, escrow office	Y	Y	Y
Yacht broker	Y	Y	Y
All other professional offices	Y	AP	Y
Financial Services			
Banks, savings and loans with drive-up windows, including commercial/industrial loan businesses	C	Y	C
Banks, savings and loans without drive-up windows, including commercial/industrial loan businesses	Y	Y	Y

Use	CO	CH	CT
Bus token issuance, payment of utility bills, distribution of government checks and food stamps, sale of phone cards	Y	Y	Y
Car title loans	C	C	C
Money orders, money transfers	Y	Y	Y

Signature loans	C	C	C
Stock or bond broker	Y	Y	Y
All other financial services	C	C	C
Restaurants			
Fast-food with drive-up window, 200 ft. or more from a district allowing residential uses	C	C	Y
Fast-food with drive-up window, less than 200 ft. from a district allowing residential use	C	C	C
Fast-food without drive-up window	Y	Y	Y
Outdoor dining	A	A	A
Ready-to-eat foods	N	Y	Y
Restaurant—dinner with the sale of alcoholic beverages not qualified for exemption (b)	C	C	C
Restaurant—dinner without the sale of alcoholic beverages (b)	Y	Y	Y
Taverns			
Taverns, bar, cocktail lounge, pub	C	C	C
Entertainment Services			
Amusement machine (4 or fewer)	A	A	A
Amusement park	N	N	C
Arcade	N	C	N
Conventions, exhibit and trade shows or fairs, including sales or rental of goods exhibited	N	N	Y
Cruise ship passenger terminal	N	N	N
Dancing—principal or accessory use	C	N	C

Drive-in theater	N	C	C
Entertainment uses with the sale of alcoholic beverages 500 ft. or less from a district allowing residential uses (b)	C	C	C
Entertainment uses with the sale of alcoholic beverages other than those described above	C	N	Y
Hall rental	N	N	C
Mock boxing or wrestling	N	C	C
Movies, theaters, private clubs (with no dancing)	N	C	C
Musical entertainment	C	N	C
Open (outdoor) commercial recreation	N	N	C
Pool hall (4 or more tables)	N	C	C
Pool tables (up to 3 tables)	A	A	A
Radio and television broadcasting	N	N	Y
Skating rink	C	C	C
Stage shows	C	N	C
Temporary special outdoor events, including promotional events, fairs, carnivals, circuses, art shows, antique shows, outdoor sporting events, trade shows, outdoor sales and the like	T	T	T
Transportation facilities, including bus terminals, cabstands, limousine services, airport passenger terminals, blimp ports, heliports and helistops	N	A	C
All other entertainment services uses	N	C	C
Commercial Storage			
Commercial storage, including recreational vehicle storage	C	C	N

Table 32-1A

Uses In All Other Commercial Zoning Districts

Use	CO	CH	CT
Parking			
Open parking as principal use	Y	N	C
Parking structures (principal use)	C	N	C
Business Support Services			
Business support services (such as light printing, business equipment rental and repair)	Y	Y	Y
Billboards			
Mini-poster	N	Y(a)	N
Painted board	N	N	N
Poster	N	Y(a)	N
Institutional Uses			
Churches	Y	Y	C
Daycare center, preschool	Y	Y	Y
Elementary, secondary school (grades 1-8)	C	N	N
Mortuary	Y	Y	Y
Social service office	C	Y	N
Trade school	C	Y	N
Other institutional uses	AP	AP	AP
Residential Use			

Housing (c) R-3-T	Y	N	N
R-4-N	Y	N	Y
R-4-R	Y	N	Y
Active senior housing	C	N	C
Traditional senior housing	C	N	C
Other special group housing	C	N	C
Caretaker residence	AP	AP	AP
Transient Housing			
Hotel, motel, inn	C	C	C
Inn	C	N	C
Residential care facility	C	N	C
Bed and breakfast	AP	N	AP
Interim Parks			
Community gardens (see Section 21.52.260)	IP	IP	IP
Passive parks (see Section 21.45.155)	Y	Y	Y
Playgrounds (see Section 21.52.260)	IP	IP	IP
Recreational parks (see Section 21.52.260)	AP	AP	AP
Urban agriculture use (d)	Y	Y	Y
Miscellaneous Uses			
Cellular and personal communication services	C	C	C

Concession, Entertainment facility, other outdoor display	T	T	T
Construction trailer	T	T	T
Electrical distribution station	Y	Y	C
Trailer used for office, nightwatchman's quarters	AP	AP	AP
Wireless telecommunications facilities (see Chapter 21.56)	C	C	C

Abbreviations:	Y=	Yes (permitted use).
	N =	Not permitted.
	C=	Conditional use permit required. Refer to Chapter 21.52.
	A =	Accessory use. For special development standards, refer to Chapter 21.51.
	T=	Temporary use, permitted subject to provisions contained in Chapter 21.53.
	AP =	Administrative use permit required. For special conditions refer to Chapter 21.52.
	IP =	Interim park use permit required. For special conditions refer to Chapter 21.52.
	* =	Special standards apply. Refer to Chapter 21.45.
Notes:	(a)	Billboards are subject to special development standards contained in Chapter 21.54.
	(b)	The following For alcoholic beverage sales shall be that are exempted from the conditional use permit requirement, <u>Section 21.XX.XXX.</u>
		1. Restaurants with alcoholic beverage service only with meals. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed

		bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge without a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than thirty percent (30%) of gross sales consisting of alcoholic beverage sales shall lose its exemption and be required to obtain a conditional use permit to continue to sell alcohol.
		2. Florist with accessory sale of alcoholic beverages.
		3. Existing legal, nonconforming uses.
	(c)	Refer to Section 21.32.235 (Residential uses in commercial districts) for development standards. Residential zone designated as overlay zone will supersede the density and standards specified in Table 32-1.
	(d)	All urban agriculture uses, whether by-right or permitted through an Administrative Use Permit, must meet the standards outlined in Section 21.52.260.

(ORD-17-0024 § 3(Exh. C), 2017; ORD. 15-0019 §§ 3, 4, 2015; ORD-13-0025 § 3(Exh. B), 2013; ORD-13-0018 § 4(Exh. B), 2013; ORD-11-0011 § 3(Exh. C), 2011; Ord. C-7663 § 32, 1999; Ord. C-7399 §§ 4, 5, 1996; Ord. C-7378 §§ 9, 10, 1995)

CHAPTER 21.52 - CONDITIONAL USES

21.52.010 - Purpose.

The City recognizes that certain types of land use, due to the nature of the use, require individual review by the Planning Commission to determine whether the type of use proposed, or the location of that use, is compatible with, or through the imposition of reasonable conditions, can be made compatible with surrounding uses. This Chapter establishes specific conditions which shall apply to uses permitted by a permit.

(Ord. C-6533 § 1 (part), 1988)

DIVISION I. - GENERAL PROVISIONS

21.52.100 - General provisions.

The uses listed in Chapters 21.31 through 21.36 as conditional uses (C) or administrative uses (AP) or identified as administrative uses in Chapter 21.25, Division IV, shall be required to comply with the conditions listed in Division II of this Chapter. Upon granting a conditional or an administrative use permit, the hearing body shall impose the conditions outlined in this Chapter for the specified use unless those conditions are waived with written findings. The hearing body may impose additional conditions that are deemed reasonable and necessary in granting the permit. If no conditions are contained in this Chapter, the hearing body may impose conditions as necessary to implement the permit.

(Ord. C-7032 § 39, 1992; Ord. C-6533 § 1 (part), 1988)

DIVISION II. - SPECIAL CONDITIONS FOR CONDITIONAL AND ADMINISTRATIVE USE PERMITS

21.52.200 - Conditional and administrative use development standards.

This Division contains the required conditions for specified conditional and administrative use permits.

(Ord. C-7032 § 41, 1992; Ord. C-6533 § 1 (part), 1988)

21.XX.XXX – Alcohol Exemption Permit

(1) The following alcoholic beverage sales may be exempted from the conditional use permit requirement:

a. Restaurants with alcoholic beverage service only with meals. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge without a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than thirty percent (30%) of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a conditional use permit to continue to sell alcohol.

b. Florist with accessory sale of alcoholic beverages.

c. Existing legal, nonconforming uses.

21.52.201 - Alcoholic beverage sales uses.

The following conditions shall apply to all alcoholic beverage sales uses requiring a conditional use permit:

- 1) The operator of the use shall provide parking for the use equivalent to the parking required for new construction regardless of the status of the previous use as to legal nonconforming rights;
- 2) The operator of the use shall provide night lighting and other security measures to the satisfaction of the Chief of Police; The operator of the use shall prevent loitering or other activity in the parking lot or that would be a nuisance to adjacent uses and/or residential neighborhoods;
- 3) The use shall not be in a reporting district with more than the recommended maximum concentration of the applicable on or off-premises sales use, as recommended by the State of California Alcoholic Beverage Control Board, nor with a high crime rate as reported by the Long Beach Police Department, except: (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet floor area, and also providing fresh fruit, vegetables and meat, in addition to canned goods; and
- 4) The use shall not be located within five hundred feet (500') of a public school, or public park, except: (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet of floor area, and also providing fresh fruit, vegetables and meat in addition to canned goods

. (Ord. C-7032 § 42, 1992; Ord. C-6533 § 1 (part), 1988)

21.52.203 - Arcade.

The following conditions shall apply to arcades:

- A. The site shall not be located within five hundred feet (500') of a residential district or a public school; and
- B. The operator shall demonstrate an ability to prevent problems related to potential noise, litter, loitering, crowd control and parking.

(Ord. C-7881 § 3, 2003; Ord. C-6533 § 1 (part), 1988)

~~21.52.204-XXX — Live-work Unit Artist's studio with residence.~~

The following conditions shall apply to administrative use permits for ~~artist's studio with residence~~ live-work units:

- A. The minimum unit size is seven hundred fifty (750) square feet.
- B. Each unit shall have a separate entrance that is clearly identified to provide for emergency services.
- C. No more than thirty-three percent (33%) of any unit shall be used for exclusive residential purpose such as sleeping area, kitchen, bathroom and closet areas. The unit shall provide as a minimum full cooking and bathing facilities.

- D. All necessary building permits shall be obtained prior to the use of the space for residential occupancy.
- E. No mechanical equipment shall be used which generates noise higher than the noise standards established for residential uses (Chapter 8.80 of the Municipal Code).
- F. There shall be no outside operations, outside storage or outdoor display of materials or products.
- G. No toxic, explosive, flammable, combustible or corrosive materials are to be stored or used on the site in quantities or in a manner that violates any provision of the Uniform Fire Code. No etiologic or radioactive materials shall be used or stored on the site at any time.
- H. No process shall be used which is hazardous to public health, safety or welfare.
- I. The home occupation shall not displace or block the use of parking spaces required for the residential use including any business storage in required garage parking areas.
- J. Not more than two (2) vehicles shall be used in the business. Only one (1) vehicle may be commercially licensed.
- K. The property owner shall record a covenant, prior to the issuance of a building permit, ensuring that the provisions of this Section are continually adhered to and that the Live-Work Unit remains consistent with the definition in Section 21.15.1576.

The Zoning Administrator may require the discontinuance of a work activity in a live-work unit ~~an artist's studio with residence~~ if as operated or maintained there has been a violation of any applicable condition or standard. The Zoning Administrator shall have the authority to prescribe additional conditions and standards of operation for any category of work activity in an artist's studio with residence.

(Ord. C-7729 § 9, 2001: Ord. C-7032 § 51, 1992)

21.52.206 - Automobile related services.

The following conditions shall apply to auto repair shops, service stations, car washes, auto upholstery shops, auto parts and tire sales, camper installation businesses, van conversion businesses and the like:

- A. In the CB district, such uses shall be limited to locations inside parking structures;
- B. In the CR and CO zones, conditional use permits shall be limited to the expansion of existing nonconforming uses;
- C. Automobile service station uses shall be limited to: retail sales of fuel, oil and small vehicle parts;
- D. The proposed use shall not intrude into a concentration of retail uses and shall not impede pedestrian circulation between retail uses;
- E. The proposed use shall not create unreasonable obstructions to traffic circulation around or near the site;
- F. No curb cuts shall be permitted within forty feet (40') of any public roadway intersection;
- G. No vehicles may be stored at the site for purposes of sale, unless the use is also a vehicle sales lot or for the use as parts for vehicles under repair; and
- H. The site shall comply with all applicable development standards for open storage and repair uses specified in Chapter 21.45, "Special Development Standards".

(Ord. C-6533 § 1 (part), 1988)

21.52.208 - Bank, credit union, savings and loan.

The following conditions shall apply to a bank, credit union, or savings and loan located in the CNP (commercial neighborhood pedestrian oriented) zone:

- A. The project must comply with Section 21.32.230, "Design of Buildings".
- B. Drive-thru windows or drive-thru automated teller machines are prohibited.
- C. No new curb cuts shall be permitted for a new or existing bank, credit union, or savings and loan in local coastal planning area D (Second Street, between Livingston and Bayshore).
- D. Interior and exterior lighting, window displays, and other architectural features shall be included in the building street frontages to provide pedestrian interest during nonoperational hours.
- E. Projects in local coastal planning area D (Second Street, between Livingston and Bayshore) that qualify for the one-half (½) rate parking standard pursuant to Subsection 21.41.226.A shall make their parking facilities available for public parking during nonoperational hours.

(Ord. C-7777 § 1, 2001; Ord. C-7729 § 13, 2001)

21.52.209 - Bed and breakfast inn.

The following conditions shall apply to bed and breakfast inns:

- A. The use shall be allowed only in older residential structures which are recognized as architecturally, historically or culturally significant, and which, through renovation and use as a bed and breakfast inn, will contribute significantly to the ambiance, character or economic revitalization of a neighborhood;
- B. Meals shall be served to registered guests only. No cooking facilities shall be permitted in guestrooms;
- C. The property owners shall live at the inn or on an adjoining property;
- D. Only short-term lodging may be provided. Monthly rentals shall be prohibited;
- E. No receptions, private parties or activities for which a fee is paid shall be permitted;
- F. A City business license shall be obtained as required by law. Two (2) parking spaces shall be provided for the operator plus one (1) space for each guestroom; and
- G. Guest parking may be provided either on-site or along the curb abutting the lot. Tandem parking is permitted provided not more than two (2) cars are parked in a tandem arrangement.

(Ord. C-6533 § 1 (part), 1988)

21.52.209.5 - Caretakers' residence.

The following conditions shall apply to administrative use permits for caretakers' residences:

- A. The living area shall not exceed twenty-five percent (25%) of the total floor area;
- B. Due to the lack of typical residential amenities in nonresidential zones, and potential hazardous materials, no one under the age of eighteen (18) shall be allowed to live in the residence.

(Ord. C-7032 § 52, 1992)

21.52.210 - Reserved.

Editor's note— ORD-11-0011 § 9, adopted June 7, 2011, repealed § 21.52.210, entitled "Cellular and personal communication services (with monopoles)", which derived from: Ord. C-6684 § 7, 1990; Ord. C-7399 § 14, 1996; and Ord. C-7500 § 18, 1997.

21.52.211 - Cemeteries, mortuaries, and crematoriums.

- A. The following conditions shall apply to cemeteries:
 - 1. The use shall be buffered visually from residential uses and districts; and
 - 2. The complete master plan, including future expansion, shall be submitted for site plan review, and specific building requests shall be indicated on the master site plan.
- B. The following conditions shall apply to mortuaries:
 - 1. Parking for viewing, ceremonial and other similar uses within the mortuary shall be calculated using the parking standard contained in Section 21.41, Table 41-1C, Public Assembly; and
 - 2. Site plan shall provide at least one (1) parking space on-site for loading purposes, either an enclosed parking space or under a porte cochere, regardless of the number of parking spaces required for assembly purposes.
- C. The following conditions shall apply to crematoriums:
 - 1. Crematoriums can be operated as stand-alone uses only within the IM or IG zone, and can be operated as accessory uses to a permitted mortuary or cemetery use;
 - 2. In any instance, any new cremation operating unit(s) and emissions control systems shall be located a minimum of six hundred feet (600') from any residential zoning district or existing school.

(ORD-13-0022, § 1, 2013; Ord. C-6533 § 1 (part), 1988)

21.52.212 - Check cashing, pay day loans, car title loans, signature loans, and other financial services.

The following conditions shall apply to check cashing, pay day loans, car title loans, signature loans, and other financial services businesses:

- A. A Conditional Use Permit shall be required for check cashing, pay day loan, car title loan, and signature loan businesses. Alternative or other financial services are also required to obtain a Conditional Use Permit at the discretion of the Zoning Administrator.
- B. Check cashing, pay day loans, car title loans, signature loans and other financial service businesses as defined by the Long Beach Municipal Code shall not be located within:
 - 1. A one thousand three hundred twenty (1,320) foot radius of an approved check cashing, pay day loan, car title loan, signature loan, or other financial service business.
 - 2. The CNA, CNP, CNR, PD-6, PD-25, PD-29 or PD-30 or any industrial zoning districts. This includes other financial services and alternative types of lending services at the discretion of the Zoning Administrator.
- C. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.
- D. Exterior phones, security bars and roll up doors shall be prohibited.
- E. All fees and regulations associated with a loan or financial transaction shall be displayed near the cashier/checkstand and provided to the customer upon checkout.
- F. The hours of operation shall be stated in the application and shall be subject to review.

- G. Special Development Standards for check cashing, pay day loan, car title loan, signature loan, and other financial services found in Section 21.45.116 shall also apply.

(ORD-13-0018, § 2, 2013; Ord. C-7663 § 40, 1999)

21.52.213 - Churches and other places designed and intended primarily for religious worship.

The following conditions shall apply to churches and other places designed and intended primarily for religious worship:

- A. In a residential zone, the proposed use may consist only of an expansion of an existing church or similar religious facility on the site or on the abutting site;
- B. A master plan for long range development shall be submitted;
- C. In a residential zone, the site shall be limited to forty thousand (40,000) square feet in size; and
- D. Any proposed addition or new construction shall conform to the development standards required for principal uses within the district.
- E. Parking shall be provided in accordance with Chapter 21.41. However, in recognition of the provisions of the Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), the Zoning Administrator shall provide reasonable relief from the parking requirements of Chapter 21.41 provided the Zoning Administrator finds that strict compliance with Chapter 21.41 would impose a substantial burden upon the religious exercise of a person or assembly, and that said relief is not detrimental to the health, safety or welfare of surrounding residential or other uses. Relief from parking requirements may include tandem or joint use parking where appropriate, or relief from the distance and guaranteed permanence requirements as set forth in Subsections 21.41.222.A and 21.41.222.B.

(ORD-07-0044 § 2, 2007; Ord. C-6533 § 1 (part), 1988)

21.52.216 - Collection center for recyclables.

The following conditions shall apply to collection centers for recyclables:

- A. The site shall be kept in a neat, sanitary and orderly condition;
- B. An attendant shall be on the site at all times when the facility is open for collection;
- C. All recyclable materials shall be stored in bins and shall not be visible to the public;
- D. The operator shall establish a charge free, twenty-four (24) hour telephone number for complaints, and shall post that number on each bin in a manner clearly visible to the public;
- E. Truck pick ups of recyclable materials shall be limited to the hours of eight (8:00) a.m. to eight (8:00) p.m.;
- F. The operator shall use state of the art noise abatement technology and procedures and shall at no time violate the City noise ordinance;
- G. The operator shall accept only California redeemable materials;
- H. The operator shall utilize no processing activities including crushing, shredding, grinding, blowing and the like; and
- I. The use shall not block or displace any parking spaces or landscaping that would be required if the site were developed under the regulations in place at the time of the hearing unless a standards variance is also granted.

(Ord. C-7040 § 3, 1992; Ord. C-6533 § 1 (part), 1988)

21.52.219 - Commercial parking lot or structure—Nonresidential districts.

The following conditions shall apply to commercial parking lots or structures in nonresidential zoning districts:

- A. The use shall be permitted only if no other reasonable alternative use of the site exists during the time period covered by the permit;
- B. The use and design of the site shall not disrupt, impede or negatively affect pedestrian circulation, traffic circulation or public transportation;
- C. The use and design of the site shall not disrupt, impede or negatively affect the concentration of high intensity activities; and
- D. Attractive landscape buffering and screening shall be provided.

(Ord. C-6533 § 1 (part), 1988)

21.52.219.5 - Commercial recreation uses.

The following conditions shall apply to commercial recreation uses:

- A. The use is consistent with the intent of the park district, general plan, and any applicable specific plan; and
- B. The use does not permanently remove or encroach upon more than five percent (5%) of any existing park open space which may be developed within the site coverage restrictions, and the use does not impede public access to the park; and
- C. The use provides a needed public recreation service which otherwise would not be available to the public; and
- D. The use cannot reasonably be located to provide comparable public recreation service on private land appropriately zoned for such use.

(Ord. C-7826 § 4, 2002)

21.52.219.7 - Commercial storage/self-storage.

The following conditions shall apply to commercial storage/self-storage:

- A. Commercial storage/self-storage shall not be permitted or located in an existing business or office park.
- B. Commercial storage/self-storage shall only be permitted with a conditional use permit if the development site is impractical for industrial development due to such conditions as the shape or topography of the site, difficult vehicular access or close proximity to residential uses that would preclude industrial development uses.
- C. Storage spaces shall not be used for manufacturing, retail or wholesale selling, office, other business or service use or human habitation.
- D. Prefabricated shipping containers shall not be allowed to be on sites located within one thousand feet (1,000') from any property zoned for residential use, unless located or screened so as to not be visible from a public street.

- E. Building and roof design. The building and roof shall be designed to be compatible with surrounding development, especially nearby residential uses. Considerations include design elements that break up long, monotonous building and rooflines and elements that are compatible with the desired character of the zone.
- F. Building materials. The materials used for buildings, roofs, fences and other structures shall be compatible with the desired character of the zone and shall be visually pleasing, especially near residential uses.
- G. Street facades. The design and layout of the street side of the site shall provide a varied and interesting facade. Considerations include the use of setbacks, building placement, roof design, variations in building walls, fencing, other structural elements, and landscaping. Access doors to individual storage units shall be located within a building or shall be screened from adjacent property or public rights-of-way.
- H. Landscaping. The landscaping on the site shall be abundant and shall provide an appropriate transition from public to private spaces, separate and buffer the buildings from other uses, and provide visual relief from stark, linear building walls.
- I. Fencing. Any proposed fencing shall be designed to be compatible with the desired character of the area and is especially sensitive to abutting residential uses. Use of rolled razor wire is prohibited adjacent to residential zones.
- J. Lighting. Exterior lighting shall not intrude on surrounding properties.
- K. Noise. The hours of operation and access to the storage units shall be limited to seven (7:00) a.m. to seven (7:00) p.m. Monday through Friday and nine (9:00) a.m. to five (5:00) p.m. on Saturday, Sunday and holidays. To further limit noise impacts, metal roll up doors shall be lubricated and maintained on a regular monthly basis.
- L. Security. Prior to the issuance of building permits, the project shall submit a security plan that will be subject to the review and approval of the Police Department.
- M. Loading. Provide adequate loading and unloading areas outside of fire lanes.

(Ord. C-7904 § 5, 2004)

21.52.220 - Community correctional reentry centers.

- A. A complete application for a community correctional reentry center in an industrial zone shall include adequate evidence that the applicant has conducted a preapplication meeting for surrounding property owners and occupants. The applicant shall provide at least ten (10) days' notice of a preapplication meeting to all owners and occupants of real property within one thousand five hundred feet (1,500') of the real property which is the subject of the application, all neighborhood associations adjacent to, or within the vicinity of, the proposed use, any surrounding business association and the City's neighborhood resource center. The applicant shall provide proof of such notice and meeting through the use of certified mail and returned receipts issued by the United States Postal Service.
- B. The following conditions shall apply to community correctional reentry centers in the industrial zoning districts:
 - 1. Such uses shall provide educational and vocational training primarily focused on industrial employment.
 - 2. Such uses shall provide short-term lodging not to exceed one hundred twenty (120) days per inmate/trainee.
 - 3. Counseling and job placement services shall be provided for inmates/trainees of the facility only.

4. The use shall comply with all general conditions of special group residences, as set forth at Section 21.52.271 of this Chapter; provided, however, no such use, regardless of the size of the parcel housing such uses shall exceed fifty (50) beds and/or fifty (50) inmates/trainees at any given time.
5. The operator of the use shall only accept inmates/trainees who voluntarily apply for transfer to the community correctional reentry center.
6. No reentry center operator shall accept any inmate/trainee currently serving a sentence for conviction of any offense described in subdivision (c) of Penal Code Section 667.5 or subdivision (c) of Penal Code Section 1192.7, excluding the offense of burglary.
7. No reentry center operator shall accept any inmate/trainee who has more than one hundred twenty (120) days left to serve in a correctional facility.
8. No reentry center operator shall accept any inmate/trainee that has been convicted of an escape pursuant to Section 4532 of the Penal Code.
9. The facility shall be staffed twenty-four (24) hours a day, seven (7) days a week. A State parole agent shall be assigned to the site to monitor the inmates' activities. No inmate of the facility shall be permitted to utilize a private vehicle unless expressly authorized to do so by the California Department of Corrections pursuant to its rules and procedures governing such use. Any change in operations must be reviewed and approved by both the State and City prior to implementation of such change.

(Ord. C-7392 § 3, 1996)

21.52.220.5 - Computer arcade.

The following conditions shall apply to computer arcades:

- A. Hours of operation shall be limited to between eight (8:00) a.m. to twelve o'clock (12:00) midnight. The Planning Commission may consider extended hours of operation based on proximity to residential uses; and
- B. The operator shall demonstrate an ability to prevent problems related to potential noise, litter, loitering, crowd control and parking, including, but not limited to, the provision of a uniformed security guard at the site to the satisfaction of the Chief of Police if the Chief of Police determines it to be necessary due to increased police activity or calls for service at the site; and
- C. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions; and
- D. Maximum number of machines available for public rental shall not exceed one (1) per thirty-five (35) square feet of net floor area; and
- E. Computer games of an adult nature depicting "specified anatomical areas" or "specified sexual activities", as these terms are defined in Chapter 21.15 (Definitions), shall not be installed on computer terminals or played by customers unless the locational restrictions of Section 21.45.110 (Special development standards - adult entertainment) are complied with; and
- F. If access to adult oriented web sites is allowed, a separate area, up to a maximum of twenty percent (20%) of computer terminals available for public rental, shall be set aside for adult viewing with the computers clearly marked as such and screened from view by minors. All other machines shall be marked prohibiting adult viewing;
- G. Provide interior lighting levels similar to commercial office standards during operating hours; and
- H. There shall be at least one (1) adult employee, eighteen (18) years of age or older, for each twenty (20) computer terminals available for public rental, or fraction thereof; and

- I. An interior waiting area for customers, at least five percent (5%) of the gross floor area in size, but not less than fifty (50) square feet, shall be provided near the entrance; and
- J. Headphones shall be provided for each computer terminal, in lieu of open speakers, to control noise at the site; and
- K. The operator shall provide parking at a ratio of one (1) space per 3.3 computer terminals or, when two (2) or more uses share a parking facility, demonstrate through a signed affidavit that the hours of their demand for parking do not overlap, or only partially overlap.

(Ord. C-7881 § 8, 2003)

21.52.221 - Courtesy parking in residential districts.

The following conditions shall apply to courtesy parking in residential districts:

- A. The proposed site shall adjoin, abut or be adjacent to a commercial district;
- B. The parking lot shall extend not more than one hundred feet (100') into the residential district; and
- C. A six foot six inch (6'6") solid fence or wall and a five foot (5') wide landscaping buffer shall be provided along any property line abutting a residential use.

(Ord. C-6533 § 1 (part), 1988)

21.52.222 - Diesel fuel sales.

The following conditions shall apply to diesel fuel sales, whether in conjunction with gasoline sales or not:

- A. Diesel fuel sales shall only be permitted on designated truck routes.
- B. A solid masonry wall not less than eight feet (8') in height shall be provided where the site abuts, or is across an alley from, a residential district.
- C. An on-site queuing lane no less than one hundred twenty feet (120') shall be provided on-site for each pump dispensing diesel fuel.
- D. A site circulation and queuing diagram prepared by a traffic engineer shall be submitted with the application demonstrating the feasibility of truck access to and from each pump dispensing diesel fuel.
- E. Local streets may not be used for vehicular access to pumps dispensing diesel fuel.
- F. No on-site idling shall be permitted for vehicles queuing for pumps dispensing diesel fuel.
- G. No overnight parking or on-site maintenance of truck tractors or truck trailers shall be permitted.
- H. No exterior telephones or security bars shall be permitted.
- I. Hours of operation shall be established and shall be appropriate based on adjacent land uses.

(Ord. C-7663 § 41, 1999)

21.52.223 - Electrical distribution station—Residential districts.

The following conditions shall apply to electrical distribution stations in residential districts:

- A. The site shall be located on a major, secondary or minor highway;

- B. The site shall be developed according to the height and yard requirements of the district in which the site is located;
- C. The site shall be surrounded by a fence designed, treated and finished in a manner compatible with the adjacent residential uses. Such fence shall be placed behind the required landscaping along the street frontage. Fences up to twelve feet (12') in height may be allowed in side and rear yard areas if appropriate and necessary for the individual site;
- D. Landscaping equal to twice the requirement for a multifamily residential zone shall be provided; and
- E. All equipment and operations shall comply with applicable City noise regulations as set forth in Chapter 8.80 (Noise) of the Municipal Code.

(Ord. C-6533 § 1 (part), 1988)

21.52.226 - Electrical distribution substations—Nonresidential districts.

The following conditions shall apply to electrical distribution substations in nonresidential zoning districts:

- A. All facilities shall be screened from public view by an attractive wall or fence.

(Ord. C-6533 § 1 (part), 1988)

21.52.229 - Electronic message center signs.

In addition to the required findings for a conditional use permit (Section 21.25.206), the Planning Commission shall not approve a conditional use permit for an Electronic Message Center sign unless positive findings can be made for the following:

- A. The proposed design of the electronic message center sign is complete and consistent within itself and is compatible in design with the architectural theme or character of the existing or proposed development it will serve and the community in which it will be located.
- B. The establishment of the proposed electronic message center sign will not adversely affect the character, livability, or quality of life of any residential community it will be adjacent to or located in.
- C. The electronic message center sign shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway.
- D. The applicant has demonstrated that the proposed electronic message display surface is factory-certified as capable of complying with the brightness standards in Section 21.44.850.

(ORD-13-0014, § 20, 2013; Ord. C-7500 § 24, 1997)

21.52.231 - Fast-food restaurants.

The following conditions shall apply to fast-food restaurants:

- A. The site shall not adjoin or abut a residential use district;
- B. The proposed site shall not interrupt or intrude into a concentration of retail uses and shall not impede pedestrian circulation between retail uses;
- C. The use shall not constitute a nuisance to the area due to noise, litter, loitering, smoke or odor; and

D. Order board speakers shall be oriented and directed away from adjacent residential uses.

(Ord. C-6533 § 1 (part), 1988)

21.52.231.5 - Fences in high crime districts.

The following conditions shall apply to fences which exceed three feet (3') in the front yard of residential lots located in high crime areas:

- A. The site shall be located in a "high crime" area (as defined by Section 21.15.1338);
- B. The fence shall enclose an existing or proposed multifamily (three (3) or more units) residential structure or any residential use located in a multifamily (R-3 or R-4) zone;
- C. The fence shall not exceed six feet six inches (6'6") in height;
- D. The fence design shall be open wrought iron or other metal pickets;
- E. The fence shall allow emergency egress;
- F. The fence design shall provide visitor, meter reader and emergency personnel access;
- G. The front yard shall have approved landscaping;
- H. The applicant shall restore any missing street trees; and
- I. The fence shall have self-closing, self-locking gates.

(Ord. C-7247 § 34, 1994)

21.52.232 - Fitness or health club, dance or karate studio and the like.

- A. The use shall demonstrate adequate parking for peak demand;
- B. The facility shall be limited to five thousand (5,000) square feet of gross usable floor area in neighborhood commercial zones (CNP, CNA and CNR).

(Ord. C-7047 § 33, 1992)

21.52.233 - Handicapped and traditional senior citizen housing.

The following conditions shall apply to housing for the handicapped and for senior citizens:

- A. In a residential zone, handicapped and senior citizen housing shall be limited to the density allowed in the underlying zone district multiplied by the number indicated in Table 52-1. In congregate care facilities, each bedroom with two (2) or fewer beds shall count as a dwelling unit in calculating density. In bedrooms with more than two (2) beds, each bed shall count as a unit. This shall be the maximum permitted density. The Planning Commission may require a lower density as the situation requires. In nonresidential zones, densities shall be limited to one (1) dwelling unit per two hundred (200) square feet of lot area;
- B. Consideration of the conditional use permit shall address crime rate, scale and style of the proposed building in relation to other buildings within the immediate vicinity;
- C. The applicant shall provide evidence that the use will remain as senior citizen or handicapped housing through deed restriction or other method suitable to the Planning Commission. In the case of senior citizen housing that is constructed for sale or rental of individual units, apartments or condominiums, the applicant shall provide proof that the proposed project is fully compliant with the provisions of California Civil Code Section 51.3 or otherwise provide proof

that the provisions of Civil Code Section 51.3 are not applicable to the project. Failure to provide suitable proof and assurances to the Planning Commission will result in the denial of the density multiples provided for in Table 52-1;

- D. The facility shall be designed with appropriate grab bars in all hallways and bathtubs and/or showers and with nonslip surfaces in bathtubs and/or showers. The designs shall conform to the specifications of the U.S. Department of Housing and Urban Development for the applicable use;
- E. Each unit shall be equipped with an emergency signaling device to the on-site unit manager's office, if applicable, to the satisfaction of the Chief of Police;
- F. Each facility shall provide not less than three hundred (300) square feet of common recreational space;
- G. Each facility shall provide not less than one hundred fifty (150) square feet of usable open space per unit or room. Of the one hundred fifty (150) square feet, not less than fifty (50) square feet shall be private open space, and the remainder may be common open space in addition to the three hundred (300) square feet required above;
- H. The facility shall be located within one thousand feet (1,000') by legal pedestrian route to a public transit stop; and
- I. Parking and loading shall be provided as required by Chapter 21.41 (Off-Street Parking and Loading Requirements).

(Ord. C-7500 § 19, 1997; Ord. C-6822 § 19, 1990; Ord. C-6595 § 15, 1989; Ord. C-6533 § 1 (part), 1988)

Table 52-1	
Density Multiples for	
Handicapped and Senior Citizen Housing	
Use	Density Multiple
Handicapped, low rent	3.0
Handicapped, market rent	2.0
Senior citizen, low rent	3.0
Senior citizen, market rent	2.0
Senior citizen, congregate care, low rent	3.0
Senior citizen, congregate care, market rent	2.0

21.52.234 - Heliport or blimp port or helipads.

The following conditions shall apply to heliports or blimp ports and helipads:

- A. The Aeronautics Bureau of Public Works in consultation with the Federal Aeronautics Administration have found that the proposal presents no air space conflicts. Letters of agreement concerning airspace procedures, altitude and flight tracks, shall be submitted if necessary.
- B. The Fire Chief has found the use designed to safely handle any and all flammable and combustible materials to be handled on-site.
- C. The use will not adversely affect any residential neighborhood due to take-off, landing or overflight noise.
- D. The use is reasonably centrally located within an area of need so that no duplication of facilities will occur that could be avoided by use of another site.
- E. Only private, noncommercial heliports, blimp ports or helipads shall be allowed. Ticket sales or any common carrier-type functions are strictly prohibited.
- F. Only helipads, without support services, shall be allowed in the CB zone.

(Ord. C-6595 § 28, 1989)

21.52.235 - Hotels/motels.

- A. **Intent.** Long Beach strongly encourages the development and expansion of the travel industry for vacation, convention and business travel. Hotels and motels are an integral and desirable part of the travel industry. However, as hotels and motels can also be incompatible with nearby residential communities, and can also become inadequately designed permanent housing, it is necessary to provide site-by-site analysis and decisions of the nature and design of such business facilities. Also, as such uses provide a twenty-four (24) hour business environment, careful review is required to ensure compatibility with residential uses. All proposals for new hotels, motels or inns shall comply with the following conditions.
- B. **Intensity.** The density of rooms, intensity of facilities, and scale and design of buildings shall be harmonious with surrounding uses and development.
- C. **Location.** The location of the use shall be reasonably related to destinations of the traveling public, such as proximity to tourist attractions, convention facilities, business centers, the airport or cruise terminals, or medical centers and shall also be adequately buffered from any incompatible adjoining uses.
- D. **Crime.** The site shall not be associated with a location known to have a high concentration of reported crimes.
- E. **Design.** The design shall be attractive so as to present a positive image of Long Beach to the traveling public, shall be appropriate to transient occupancy without conversion to long-term occupancy (more than thirty (30) consecutive days), and, where appropriate, shall contribute to an active retail frontage by providing stores, coffee shops or convenience retail on the ground story of major streets. Enriched materials, roof overhangs, windows and doors with jams and sills, architectural protrusions and other detailing and lush landscaping are desirable in making the design attractive. All designs shall also comply with the privacy standards of Section 21.31.240.
- F. **Open Space.** The use shall provide not less than one hundred twenty-five (125) square feet of usable open space per guestroom, suite or unit. Not less than fifty (50) square feet of such open

space shall be private usable open space according to the provisions of Section 21.31.230. For buildings of three (3) stories or more, all open space may be common open space. Areas used for health clubs or recreation rooms may be counted as common usable open space.

- G. **Parking.** All parking designs shall provide through-flow circulation or maneuvering space in a cul-de-sac or "hammerhead" design to allow exiting in a forward direction when all parking spaces are full. Parking spaces shall be provided in adequate number to serve the use according to the following requirements: for hotels/motels less than sixty (60) rooms, suites or units, the minimum parking shall be not less than 1.25 spaces per guestroom, or per two (2) room suite or unit, and 2.00 spaces per suite or unit of three (3) or more rooms, plus parking figured separately for other facilities.

For hotels/motels of sixty (60) rooms or more, see Table 41-1C.

- H. **Security.** Project security shall be designed to the satisfaction of the Chief of Police and shall include surveillance of arrivals, departures, and parking areas from the office, and security hardware, alarms and lighting.

(Ord. C-6684 § 8, 1990)

21.52.236 - Institutional and public assembly uses.

The following conditions shall apply to public assembly halls, private clubs and similar uses:

- A. A long-range development plan shall be submitted for the use;
- B. Any new construction shall be consistent with the long-range plan that has been approved by the Planning Commission;
- C. All buildings and uses shall be located and buffered to prevent intrusion upon surrounding uses, especially when the use adjoins, abuts or is adjacent to a residential district; and
- D. Abundant landscaping, ample building spacing, open space and high quality building design shall be provided.

(Ord. C-6533 § 1 (part), 1988)

21.52.XXX - Laundromats

All new or expanded uses laundromats are required to comply with the following:

- A. Restriction of Over-Concentration of Laundromats. No new or expanded laundromat use shall be located closer than 500 feet from any existing laundromat as measured by closest radial distance between buildings.
- B. Standards. The following standards shall apply to all new or expanded Laundromat uses:
 - 1. On-Site Attendant. An employee shall be on the premises during all business hours.
 - 2. Security Cameras. Security cameras shall be operated on the premises during all business hours and recordings shall be maintained for a minimum of seven days.
 - 3. When located adjacent to or below a dwelling unit the following shall be minimized:
 - a. Noise shall not exceed the limits set forth in Chapter 8.80.
 - b. Vibrations shall not exceed the limits set forth in Chapter 8.80.
 - c. Venting shall be directed away from residential dwelling units.
 - 4. Transparency.

- a. A minimum of 60 percent of the building facade along a street or streets shall be glass (windows and/or doors).
- b. Window Clarity. Ninety percent of area of windows shall re-main clear to allow views into the commercial space.
5. Exterior Illumination. Outdoor lighting shall be attached to the exterior of the building containing the laundromat establishment and operated after dusk so that the exterior of the premises are discernible.
6. Off-Site Impacts.
 - a. Litter and debris shall be cleared from the premises and the adjacent right -of-way and sidewalks of the property at least once daily or as needed to maintain a litter free environment.
 - b. Graffiti shall be removed from the exterior of the building with-in 72 hours of application.
 - c. At least two "No Loitering" signs shall be posted on the building facade and other visible locations around the site. Signs shall be of a permanent nature and have letters a minimum of two inches in height. The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiterers who refuse to leave
 - d. Persons loitering in the vicinity of the exterior of the establishment with no apparent business for more than ten minutes shall be asked to leave.

21.52.240 - Legalization of dwelling units.

- A. The unit(s) in question must have been created before 1964 and continually occupied since that time without having been abandoned pursuant to Section 21.15.030;
- B. The unit must meet minimum Housing Code provisions; and
- C. The unit must not exceed six hundred forty (640) square feet.

(Ord. C-7032 § 53, 1992)

21.52.241 - Merchandise mall.

The following conditions shall apply to merchandise malls:

- A. Parking shall be provided as required by Chapter 21.41 (Off-Street Parking and Loading Requirements). However, the required number of parking spaces may be reduced if the applicant can demonstrate to the satisfaction of the Planning Commission that a lower standard adequately satisfies the parking demand of a specific business. In no case shall less than five (5) parking spaces per one thousand (1,000) square feet be approved; and
- B. The applicant shall demonstrate to the satisfaction of the Planning Commission that tenants of the merchandise mall will pay applicable business license fees and sales taxes.

(Ord. C-6533 § 1 (part), 1988)

21.52.243 - Mobile home park.

The following conditions shall apply to mobile home parks:

- A. The mobile home park shall not exceed the density of the applicable zone district in which it is located; and
- B. The mobile home park shall comply with the development standards of the applicable subdivision for private streets and lot design.

(Ord. C-6533 § 1 (part), 1988)

21.52.244 - Subdivision of existing mobile home park.

The following special conditions shall apply to subdivision of an existing mobile home park:

- A. The mobile home park shall contain a minimum community area open space of two hundred (200) square feet per lot.
- B. The mobile home park shall have a minimum density of nine (9) units per acre.
- C. The mobile home park shall contain a minimum of one (1) guest parking space for each fifteen (15) lots.
- D. The mobile home park shall contain a minimum of one hundred (100) square feet of recreational vehicle storage per lot.
- E. The mobile home park shall have a minimum project setback of twenty (20) feet from any public street.
- F. RV storage and vehicle parking and storage shall be reserved for use by the owners/tenants of the mobile home park.

(ORD-07-0019 § 6, 2007)

21.52.246 - Motorcycle/jet ski sales and repair.

- A. All sales and repair activities shall comply with the standards of Chapter 21.45 (Special Development Standards).
- B. The applicant shall demonstrate an ability to control noise during engine testing to comply with City noise regulations Chapter 8.80 (Noise) and avoid neighborhood disturbances.

(Ord. C-7047 § 26, 1992: Ord. C-6533 § 1 (part), 1988)

21.52.247 - Building design in the CNP zone.

- A. The use will primarily serve the local community.
- B. The project must comply with Section 21.32.230 Design of buildings, to insure pedestrian orientation.
- C. Drive-thru lanes are prohibited.
- D. Existing curb cuts from the primary pedestrian thoroughfare must be closed and vehicular access taken from alleys and/or secondary streets.

(Ord. C-7729 § 10, 2001: Ord. C-7047 § 34, 1992)

21.52.249 - Nursery schools, day nurseries, preschools, childcare centers, daycare centers and similar uses for daytime care and education of a limited number of persons.

The following conditions shall apply to all nursery schools, day nurseries, preschools, childcare centers, daycare centers and similar uses for daytime care and education of a limited number of persons:

- A. A minimum of seventy-five (75) square feet of outdoor play area per child shall be provided on the site;
- B. In residential districts, no other similar facility may be located and operating within one-half (½) mile (2,640 feet) of the proposed site;
- C. The hours of operation shall be limited to the hours between six-thirty (6:30) a.m. and six-seven-thirty (6:30) p.m.; and
- D. Adequate off-street loading spaces shall be provided to prevent adverse effects upon the neighborhood.

(Ord. C-6533 § 1 (part), 1988)

21.52.251 - Office uses in residential districts.

The following conditions shall apply to office uses in residential districts:

- A. The total nonresidential use shall not exceed forty percent (40%) of the square footage of the building.

(Ord. C-6533 § 1 (part), 1988)

21.52.256 - Outdoor sales events.

The following conditions shall apply to flea markets, swap meets, vehicle sales events and the like:

- A. All uses shall be compatible with adjacent uses; and
- B. The sale of used merchandise may be permitted; and
- C. Vehicle sales events may be permitted only in the institutional zone on sites five (5) acres or greater in size and only when sponsored by a church, school, educational institution or public or private nonprofit organization, and shall be conducted on the premises of such an organization; and
- D. The hours of operation shall be nine (9:00) a.m. to five (5:00) p.m. with the exception that setup shall be allowed as early as seven (7:00) a.m. and as late as seven (7:00) p.m. The Planning Commission may grant extended hours of operation based on the proximity to residential land uses; and
- E. The proposed frequency of events shall be stated in the application and subject to review; and
- F. The operator shall demonstrate to the satisfaction of the Planning Commission that applicable business license fees and sales taxes will be paid; and
- G. An event signage plan shall be submitted in the application and subject to review; and
- H. Adequate restroom facilities shall be provided on-site during hours of operation; and
- I. A parking plan shall be submitted in the application and subject to review. The hours of parking demand of the outdoor sales event shall not conflict with the hours of parking demand of the principal use on-site, if any, and shall be provided in accordance with the provisions of Chapter 21.41 (Off-street Parking and Loading Requirements); and
- J. The operator shall demonstrate an ability to control problems related to noise, loitering, and litter; and

- K. The operator shall provide a safety and security plan to the satisfaction of the Chief of Police; and
- L. The operator shall obtain all necessary permits from the Fire Department for the temporary structures for each outdoor sales event.

(Ord. C-7881 § 4, 2003; Ord. C-6533 § 1 (part), 1988)

21.52.257 - Parsonage.

The following conditions shall apply to administrative use permits for a parsonage: The living area shall not exceed twenty-five percent (25%) of the church floor area.

(Ord. C-7032 § 54, 1992)

21.52.259 - Pistol or rifle range.

The following conditions shall apply to pistol and rifle ranges:

- A. The use shall be soundproofed as necessary to avoid adverse impacts on nearby noise sensitive uses; and
- B. The operator shall incorporate safety measures into facility design as required by the Chief of Police.

(Ord. C-6533 § 1 (part), 1988)

21.52.260 - Interim playgrounds, urban agriculture use, community gardens and recreational parks.

The following shall apply to interim playgrounds, community gardens and recreational parks. A, B and C only apply to urban agriculture uses:

- A. Improvements for an interim playground/community garden/recreational park shall be limited to landscaping, irrigation systems, accessory buildings and structures.
- B. The following setbacks shall be the same apply to all accessory buildings and structures:
 - 1. Front. The front setback shall be the same as a principal structure in the applicable zoning district.
 - 2. Side. A four-foot (4') side setback is required when abutting a residential district otherwise none is required.
 - 3. Rear. A ten-foot (10') rear setback is required when abutting a residential district otherwise none is required.
- C. The maximum height of any accessory building shall be thirteen feet (13').
- D. The interim playground/community garden/recreational park hours of operation shall be seven-thirty (7:30) a.m. to dusk.
- E. Off-street parking shall not be required for an interim playground/community garden/recreational park.
- F. Adequate trash receptacles shall be provided and maintained for the life of the use.

(ORD-17-0024 § 5, 2017; Ord. C-7378 § 28, 1995)

21.52.261 - Police training academy.

The following conditions shall apply to the police training academy use:

- A. The use shall be isolated from noise sensitive uses; and
- B. A master plan for future facility expansion shall be reviewed and approved with any specific building request.

(Ord. C-6533 § 1 (part), 1988)

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;
- 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.

(Ord. C-7378 § 20, 1995; Ord. C-6533 § 1 (part), 1988)

21.52.265 - Recycling collection center.

- A. Recycling collection centers located in any industrial district shall be limited to a maximum of five (5) years for any single approval.
- B. The use shall be compatible with surrounding existing uses.
- C. The operator shall take all reasonable steps to mitigate intrusive noise to adjacent residential uses.
- D. The site shall remain clean at all times.
- E. The entire site shall be paved.
- F. The site shall be screened with an eight-foot-high (8') solid wall.

(Ord. C-7360 § 8, 1995; Ord. C-7247 § 25, 1994; Ord. C-6684 § 9, 1990)

21.52.265.5 - Residential historical landmarks.

The following conditions shall apply to all residential historical landmarks seeking to establish a commercial use:

- A. The following commercial uses listed below may be allowed through the administrative use permit process (where the permitted use table for the applicable zone is more permissive than these provisions, then the applicable zone use table shall apply):
 - 1. Artist studio with residence pursuant to Section 21.52.204.
 - 2. Bed and breakfast pursuant to Section 21.52.209.

3. Daycare center/pre-school pursuant to Section 21.52.249.
 4. Professional school/business school.
 5. Professional services:
 - a. Administrative
 - b. Attorney
 - c. Consultant
 - d. Dental
 - e. Engineering/architectural
 - f. Finance
 - g. Insurance
 - h. Medical
 - i. Real estate
 6. Retail sales:
 - a. Antiques
 - b. Art gallery
 - c. Book dealer
 - d. Collectibles
- B. An applicant seeking to establish a commercial use in a residential historical landmark building shall file a request with the Building Bureau for a special code compliance inspection with reference to the State Historical Building Code. The resulting report shall address all building code issues with reference to the State Historical Building Code related to establishing the commercial use in a residential building. This report must be received by the Planning Bureau before an application for an administrative use permit is considered complete for processing.
- C. All required parking, as set forth in Chapter 21.41, Off-Street Parking and Loading Requirements, shall be provided to establish the proposed use.

(Ord. C-7378 § 29, 1995)

21.52.266 - Restaurant with alcoholic beverage sales.

The following conditions shall apply to restaurants selling alcoholic beverages of any kind:

- A. The operator of the use shall prevent loitering in any parking areas serving the use; and
- B. Parking shall be provided as required by Chapter 21.41 (Off-Street Parking and Loading Requirements) regardless of status of the previous use with regard to legal nonconforming parking.

(Ord. C-6533 § 1 (part), 1988)

21.52.269 - Restaurant in the R-4-H district.

The following conditions shall apply to restaurants in the R4-H zoning district:

- A. The public entrance shall be from the lobby of the residential building;

- B. No signs shall be placed outside the building; and
- C. Sale of alcoholic beverages in restaurants shall be limited by the following additional conditions:
 1. The operator of the use shall provide not less than ten (10) parking spaces per one thousand (1,000) square feet of dining area plus twenty-five (25) parking spaces per one thousand (1,000) square feet of lounge, bar or waiting area regardless of status of the previous use as to legal nonconforming parking.
 2. The operator of the use shall prevent loitering in any parking areas serving the use.

(Ord. C-6533 § 1 (part), 1988)

21.52.270 - Sandwiched lot.

The development on the sandwiched lot shall be limited to R-4-R density and development standards.

(Ord. C-6895 § 32, 1991)

21.52.281-270.1 - Secondhand shops.

The following conditions shall apply to new secondhand/thrift shops and as a requirement for approval of any increase in the floor area of an existing shop the sale of used merchandise indicated in Table 32-1:

- A. All sales and display of merchandise shall be permitted only within a building;
- B. The building occupied by the use shall be improved to conform to the standards of the community. Exterior alterations to the premises and all signage must be designed and installed in compliance with all applicable City regulations and guidelines;
- C. The building and site shall be maintained in a neat, clean and orderly condition; and
- D. Outside storage shall not be permitted; and
- E. The store shall not authorize the donation or drop-off of any goods while the store is closed.
- F. The operator shall post a notice in a visible location at any public entrance, which states that goods may not be deposited when the store is closed and listing hours when and where donations will be accepted.

(Ord. C-7047 § 28, 1992; Ord. C-6533 § 1 (part), 1988)

21.52.271 - Special group residence (board and care, convalescent home, half-way house, boardinghouse/lodginghouse, communal housing and the like).

The following conditions shall apply to special group residences including, but not limited to, board and care, convalescent home, half-way house, boardinghouse/lodginghouse and communal housing:

- A. **Density.** In a residential zone, special group housing shall be limited to the density allowed by the underlying zone district multiplied by the number indicated in Table 52-2. In congregate care facilities, each bedroom with one (1) or two (2) beds shall count as a unit when calculating density. In bedrooms with more than two (2) beds, each bed shall count as a unit. This shall be the maximum permitted density. The Planning Commission may require a lower density as the situation requires. In a nonresidential zone, density shall be limited to one (1) unit per two hundred (200) square feet of lot area;

- B. **Location.** In a residential district, no other similar facility may be in operation within one-half (1½) mile of the proposed project site. If the use is a fraternity or sorority, the use shall be sufficiently isolated from other residential uses so as not to potentially disturb the neighborhood;
- C. **Concerns.** Consideration of the conditional use permit shall address crime rate, concentration of similar uses, and the style and scale of the proposed building in relation to other buildings in the immediate vicinity;
- D. **Continuation of Use.** The applicant shall provide evidence that the use will remain as that use applied for through deed restriction or other method suitable to the Planning Commission;
- E. **Open Space.** Each facility shall provide not less than three hundred (300) square feet of common open space and one hundred fifty (150) square feet of usable open space per unit or room. Of the one hundred fifty (150) square feet, not less than fifty (50) square feet shall be private open space, and the remainder may be common open space added to the required three hundred (300) square feet of common open space;
- F. **Public Transit Stop.** The facility shall be located within one thousand feet (1,000') by legal pedestrian route to a public transit stop; and
- G. **Parking:** Parking and loading shall be provided as required by Chapter 21.41 (Off-Street Parking and Loading Requirements).

(Ord. C-6595 § 16, 1989; Ord. C-6533 § 1 (part), 1988)

Table 52-2 Density Multiples for Special Group Residences	
Use	Density Multiple
Board and care home (limit of 50 beds)	2.0
Convalescent home (limit of 50 beds)	2.0
Boardinghouse/lodginghouse (limit of 50 beds)	2.0
Halfway house (limit of 50 beds)	2.0
Fraternity or sorority (limit of 50 beds)	2.0
Dormitory (limit of 50 beds)	2.0
Monastery, convent, communal housing, religious house (limit of 50 beds)	2.0

21.52.273 - Tattoo or fortunetelling services.

The following conditions shall apply to tattoo and fortunetelling services:

- A. No new fortunetelling or tattoo parlor uses shall be located within one thousand feet (1,000') of any existing adult entertainment, arcade, fortunetelling, tattoo parlor or tavern use; and
- B. Fortunetelling and tattoo parlors shall operate only between the hours of seven (7:00) a.m. and ten (10:00) p.m.

(Ord. C-6533 § 1 (part), 1988)

21.52.279 - Through-block commercial.

The following conditions shall apply to through-block commercial:

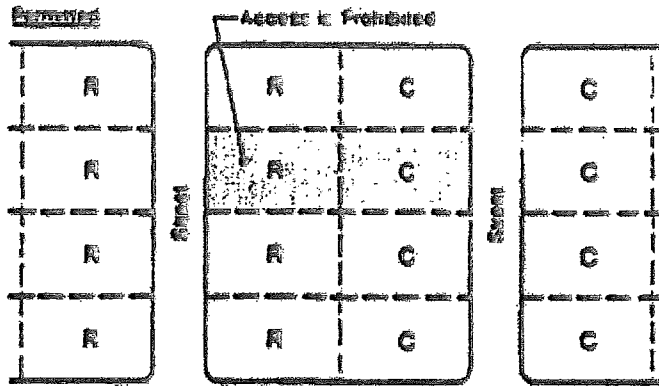
- A. The proposed site shall abut, adjoin or be adjacent to a commercial district, or a planned development district designated for commercial uses;
- B. The proposed site shall be developed as a unified site with an abutting, adjoining or adjacent commercially zoned site;
- C. Through-block commercial shall only be permitted on a property that has two (2) street frontages but is not a corner lot as illustrated in Figure 52-1;
- D. Vehicular and/or pedestrian access shall not be permitted from or across the residential street frontage;
- E. The site shall be developed according to the height and yard requirements of the residential district in which it is located;
- F. The commercial uses permitted shall be the same as those on the abutting, adjoining or adjacent commercial district with which the site is being developed;
- G. Any portion of the building or buildings visible from a public street, or abutting, adjoining or adjacent to a residential district shall be designed, treated and finished in a manner compatible with adjacent residential areas and with other visible sides of the building; and
- H. The yards facing residential uses shall be landscaped in a manner which protects the privacy and serenity of the residential uses.

(Ord. C-7247 § 26, 1994; Ord. C-7047 § 27, 1992; Ord. C-6684 § 40, 1990; Ord. C-6533 § 1 (part), 1988)

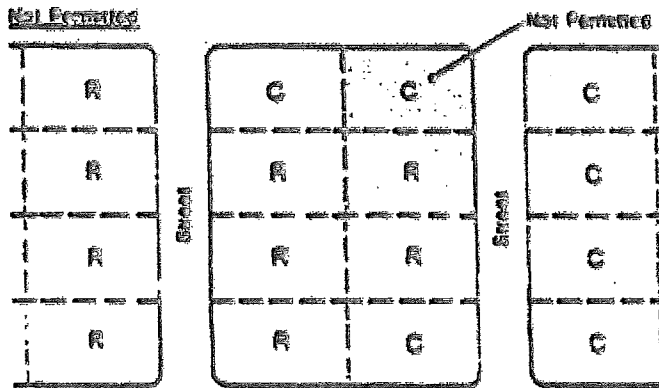
**Figure 52-1
THROUGH-BLOCK COMMERCIAL**

Section 21.52.276

Permitted



Not Permitted



**C = Commercial Use
R = Residential Use**

~~21.52.281 Thrift shops.~~

The following conditions shall apply to the sale of used merchandise indicated in Table 32-1:

- ~~A. All sales and display of merchandise shall be permitted only within a building;~~
- ~~B. The building occupied by the use shall be improved to conform to the standards of the community;~~
- ~~C. The building and site shall be maintained in a neat, clean and orderly condition; and~~
- ~~D. Outside storage shall not be permitted.~~

~~(Ord. C 7047 § 28, 1992; Ord. C 6533 § 1 (part), 1988)~~

21.52.283 - Vehicle rental services.

The following conditions shall apply to vehicle rental service uses:

- A. In the CO and CB zones, only passenger vehicles and bicycle rentals shall be allowed;
- B. Any vehicle repair activities shall comply with the regulations pertaining to outdoor vehicle repair uses as set forth in Chapter 21.45 (Special Development Standards). However, in the CO, CT or CB zones, all repair work shall occur within a fully enclosed building; and
- C. In the CO zone, the project site must be within one-half (½) mile of the CB or CT zone, or five hundred (500) hotel rooms, or a passenger terminal of an airport, cruise ship or rail transit line.

(Ord. C-6533 § 1 (part), 1988)

21.52.286 - Veterinary uses.

The following conditions shall apply to veterinary uses:

- A. Uses permitted include medical treatment, retail sales and boarding. Animals included are dogs, cats and similar household pets, but exotic animals and species of equine are excluded;
- B. All activities must be confined within a building that is fully air-conditioned and sound-proofed to the standards of the noise ordinance, Chapter 8.80 of the Municipal Code; and
- C. The site shall not adjoin or abut a residential use district.

(Ord. C-6533 § 1 (part), 1988)

21.52.410 - Special conditions—Industrial uses.

Certain industrial uses identified in Chapter 21.33 (Industrial Uses) are subject to conditional use permit review and approval. In addition to the standard considerations and findings required to approve a conditional use permit, the following additional considerations and findings shall be made:

- A. The proposed use, and the siting and arrangement of that use on the property, will not adversely affect surrounding uses nor pose adverse health risks to persons working and living in the surrounding area.
- B. Adequate permitting and site design safeguards will be provided to ensure compliance with the performance standards for industrial uses contained in Section 21.33.090 (Performance Standards) of this Title.
- C. Truck traffic and loading activities associated with the business will not adversely impact surrounding residential neighborhoods.

- D. Businesses involved with hazardous waste treatment, hazardous waste disposal, or hazardous waste transfer shall comply with the following location requirements:
1. The use shall not be located within two thousand feet (2,000') of any residential zone or use, any hotel or motel, any school or daycare facility, any hospital or convalescent home, any church or similar facility, or any public assembly use.
 2. The use shall not be located within one hundred feet (100') of any known earthquake fault, or within a fault hazard or flood hazard zone identified by the State of California.
 3. The use shall not be located on any land subject to liquefaction, as identified in the Seismic Safety Element of the General Plan, unless appropriate soils remediation occurs as required by the City Engineer.

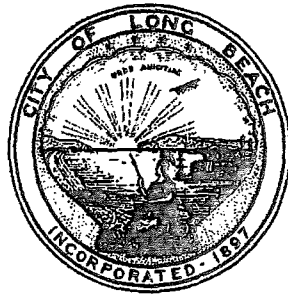
(Ord. C-7360 § 9, 1995; Ord. C-6533 § 1 (part), 1988)

21.52.610 - Uses in the Park (P) district.

Prior to the granting of a conditional use permit for uses in the park district, the following findings shall be made by the appropriate body:

- A. The use is consistent with the intent of the Park District, the General Plan, the local coastal program, and any applicable specific plan;
- B. The use does not permanently remove or impinge upon any significant public open space or impede public access thereto;
- C. For commercial recreation uses, the use provides a needed public recreation service which otherwise would not be available to the public; and
- D. For commercial recreation uses, the use cannot reasonably be located to provide comparable public recreation service on private land appropriately zoned for such use.

(Ord. C-7153 § 3, 1993; Ord. C-7032 § 43, 1992; Ord. C-6533 § 1 (part), 1988)



City of Long Beach
Conditional Use Permit Regulations Update

NEGATIVE DECLARATION

ND 01-18

Prepared by:

City of Long Beach
Department of Development Services
Planning Bureau

INITIAL STUDY

Project Title:

City of Long Beach Conditional Use Permit Regulations Update

Lead Agency name and address:

City of Long Beach
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802

Contact person and phone number:

Carrie Tai, Current Planning Officer
(562) 570-6411

Project Location:

Citywide, City of Long Beach, County of Los Angeles, California.

Project Sponsor's name and contact information:

City of Long Beach, Long Beach Development Services Department
c/o Carrie Tai
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(562) 570-6411

General Plan:

The proposed Conditional Use Permit Regulations Update would cover all General Plan Land Use Districts that apply to any zoning district or Planned Development (PD) district that require Conditional Use Permits for certain specified land uses in the City of Long Beach.

Zoning:

The proposed Conditional Use Permit Regulations Update applies to all zoning districts and all Planned Development districts that require Conditional Use Permits for certain specified land uses in the City of Long Beach.

Project Description:

The proposed Conditional Use Permit Regulations Update (Project) is a Zoning Ordinance Amendment consisting of various changes to Title 21 of the Long Beach Municipal Code (Zoning Ordinance) to simplify the process and time to obtain a Conditional Use Permit. Changes include: 1) amending processes so certain land uses do not require a Conditional Use Permit; 2) modernizing development standards; 3) organizing the standards in an easier-to-use format; and 4) amending the notification requirements to reduce cost and increase options.

Surrounding land uses and settings:

The City of Long Beach is adjacent to the following municipalities: City of Los Angeles (Wilmington, Port of Los Angeles), Carson, Compton, Paramount, Bellflower, Lakewood, Hawaiian Gardens, Cypress, Los Alamitos and Seal Beach. It is also adjacent to the unincorporated communities of Rancho Dominguez and Rossmoor. In addition, the City of Signal Hill is completely surrounded by the City of Long Beach.

Public agencies whose approval is required:

Long Beach Planning Commission (recommend City Council adopt Negative Declaration 01-18 and approve the Conditional Use Permit Regulations Update Ordinance)

Long Beach City Council (adopt Negative Declaration 01-18 and approve the Conditional Use Permit Regulations Update Ordinance)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this Project involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Population and Housing
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards and Hazardous Materials	<input type="checkbox"/> Public Services
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology and Water Quality	<input type="checkbox"/> Recreation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use and Planning	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities and Service Systems
<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Noise	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed Project **COULD NOT** have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed Project **MAY** have a significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed Project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Carrie Tai
Current Planning Officer

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are supported adequately by the information sources a Lead Agency cites in the parenthesis following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration; Less Than Significant With Mitigation Incorporation" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (per Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effect were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Supporting information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify:
 - a) The significance criteria or threshold. If any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS

a. Would the project have a substantial adverse effect on a scenic vista?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The proposed Conditional Use Permit Regulations Update (Project) would not result in significant adverse effects to any scenic vistas or public views of scenic vistas. The City topography is relatively flat, with scenic vistas of the ocean to the south and Palos Verdes to the west. In addition, distant views of the San Gabriel and San Bernardino Mountains to the north as well as the Santa Ana Mountains to the east are occasionally available to the public on days of clear visibility (primarily during the winter months).

The Project involves amendments to Title 21 of the City's Municipal Code (Zoning Ordinance) to simplify the process and time to obtain a Conditional Use Permit. The proposed Project would not result in any negative impacts to the City's visual environment. Therefore, no further analysis of this environmental issue is necessary.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no State scenic highways located within the City. No scenic resources, trees or rock outcroppings would be damaged as a result of Project implementation. There would therefore be no impact to any natural scenic resource and no further analysis is required.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section I.a. and b. above for discussion.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

All future developments and land use activities would be required to comply with all applicable regulations, including Long Beach Municipal Code Chapter 9.37 (Long Beach Nuisance Code). Since Project implementation would not directly or indirectly create any adverse light or glare impacts, no further analysis is required.

II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

c. Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

For Sections II. a., b. and c. - There are no agricultural zones within the City of Long Beach, which is a fully urbanized community that has been built upon for over half a century. The Project would have no effect upon agricultural resources within the City of Long Beach or any other neighboring city or county.

III. AIR QUALITY

The South Coast Air Basin is subject to some of the worst air pollution in the nation, attributable to its topography, climate, meteorological conditions, large population base, and dispersed urban land use patterns.

Air quality conditions are affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric forces such as wind speed, wind direction, and air temperature gradients, along with local and regional topography, determine how air pollutant emissions affect air quality.

The South Coast Air Basin has a limited capability to disperse air contaminants because of its low wind speeds and persistent temperature inversions. In the Long Beach area, predominantly daily winds consist of morning onshore airflow from the southwest at a mean speed of 7.3 miles per hour and afternoon and evening offshore airflow from the northwest at 0.2 to 4.7 miles per hour with little variability between seasons. Summer wind speeds average slightly higher than winter wind speeds. The prevailing winds carry air contaminants northward and then eastward over Whittier, Covina, Pomona and Riverside.

The majority of pollutants found in the Los Angeles County atmosphere originate from automobile exhausts as unburned hydrocarbons, carbon monoxide, oxides of nitrogen and other materials. Of the five major pollutant types (carbon monoxide, nitrogen oxides, reactive organic gases, sulfur oxides, and particulates), only sulfur oxide emissions are produced mostly by sources other than automobile exhaust.

a. Would the project conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Southern California Association of Governments (SCAG) has determined that if a project is consistent with the growth forecasts for the subregion in which it is located, it is consistent with the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP), and regional emissions are mitigated by the control strategies specified in the AQMP. Since this Project does not propose any specific developments or growth inducing projects that would

conflict with the SCAG growth forecasts, it would be consistent with the AQMP and therefore no further analysis is required.

b. Would the project violate any air quality standard or contribute to an existing or projected air quality violation?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Implementation of the proposed Project would not significantly lower air quality standards or contribute to an air quality violation. Therefore, Project impacts on air quality would be less than significant and no further environmental analysis is required.

c. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections III.a. and b. above for discussion.

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The CEQA Air Quality Handbook defines sensitive receptors as children, athletes, elderly and sick individuals that are more susceptible to the effects of air pollution than the population at large. Facilities that serve various types of sensitive receptors, including, schools, hospitals, and senior care centers, are located throughout the City. The Project only involves simplifying the process and time to obtain a Conditional Use Permit. Please see Sections III.a. and b. above for further discussion.

e. Would the project create objectionable odors affecting a substantial number of people?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources of odors during construction include use of architectural coatings and solvents, and diesel-powered construction equipment. SCAQMD Rule 1113 limits the amount of volatile organic compounds (VOCs) from architectural coatings and solvents, which lowers odorous emissions.

The Project would not allow operations that could directly or indirectly result in any significant adverse odors or intensification of odors beyond those typically associated with construction activities. No further environmental analysis is necessary.

IV. BIOLOGICAL RESOURCES

- a. **Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Wildlife habitats within the City are generally limited to parks, nature preserves, and water body areas. The Project would not promote activities that would remove or impact any existing or planned wildlife habitats. No further environmental analysis is required.

- b. **Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Land uses subject to this proposed Project would occur in established urbanized areas and would not remove or impact any riparian habitat or other sensitive natural communities. No further environmental analysis is required.

c. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Future implementation of the proposed Project would occur in established urbanized areas and would not promote or involve alteration of any protected wetland areas. No further environmental analysis is required.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Project implementation would occur in established urbanized areas and would not alter or adversely impact any native resident or migratory fish or wildlife species, corridors or nursery sites. No further environmental analysis is required.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Project implementation would be consistent with the General Plan and in conformity with all local policies and regulations. It would not alter or eliminate any existing or future policy or ordinance protecting biological resources. No further environmental analysis is required.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not have any adverse effects on any existing or future habitat conservation plans. Please see Sections IV.a. through e. above for further discussion.

V. CULTURAL RESOURCES

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section §15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The City of Long Beach is an urbanized community and nearly all properties within the City (with the exception of areas such as protected park lands) have been previously disturbed and/or developed. The proposed Project would not promote, encourage or enable activities that could remove, degrade or in any way adversely impact local historic resources. No further environmental analysis is required.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section §15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Implementation of the Project would not result in any specific construction activities involving extensive excavation, and therefore would not be anticipated to affect or destroy any archaeological resources due its geographic location. Please see Section V.a. above for further discussion.

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not propose any activities that would be anticipated to result in extensive excavation that could adversely impact any paleontological resources or geologic features. Please see Sections V.a. and b. above for further discussion.

d. Would the project disturb any human remains, including those interred outside of formal cemeteries?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not propose any activities that would involve extensive excavation that could result in the disturbance of any designated cemetery or other burial ground or place of interment. Please see Sections V.a. through c. above for further discussion.

VI. GEOLOGY AND SOILS

a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per Plate 2 of the Seismic Safety Element of the General Plan, the most significant fault system in the City is the Newport-Inglewood fault zone. This fault zone runs in a northwest to southeast angle across the southern half of the City.

All land uses subject to the provisions of this proposed Project would be required to comply with applicable building codes that account for the possibility of seismic events. No further environmental analysis is necessary.

- ii) **Strong seismic ground shaking?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Newport-Inglewood fault zone could create substantial ground shaking if a seismic event occurred along that fault. Similarly, a strong seismic event on any other fault system in Southern California has the potential to create considerable levels of ground shaking throughout the City. However, numerous variables determine the level of damage to a specific location. Given these variables, it is not possible to determine the level of damage that may occur on the site during a seismic event. All land uses must conform to all applicable State and local building codes relative to seismic safety. Please see Section VI.a.i. above for further discussion.

iii) Seismic-related ground failure, including liquefaction?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per Plate 7 of the Seismic Safety Element, most of the City is located in areas of either minimal or low liquefaction potential. The only exceptions are in the southeastern portion of the City, where there is significant liquefaction potential, and the western portion (most of the area west of Pacific Avenue and south of the 405 freeway), where there is either moderate or significant liquefaction potential. Please see Section VI.a.i. above for further discussion.

iv) Landslides?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Per the Seismic Safety Element, the City is relatively flat and characterized by slopes that are not high (less than 50 feet) or steep (generally sloping flatter than 1-1/2:1, horizontal to vertical). The State Seismic Hazard Zone map of the Long Beach Quadrangle indicates that the lack of steep terrain (except for a few slopes on Signal Hill and Reservoir Hill) results in only about 0.1 percent of the City lying within the earthquake-induced landslide zone for this quadrangle. Therefore, no impact would be expected and no further environmental analysis is required. Please see Section VI.a.i. above for further discussion.

b. Would the project result in substantial soil erosion or the loss of topsoil?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

All land uses subject to the regulations of the Project would be required to adhere to all applicable construction standards regarding erosion control, including best management practices to minimize runoff and erosion impacts from earth-moving activities such as excavation, recontouring and compaction. No further environmental analysis is necessary.

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VI.b. above for discussion. All land uses subject to the regulations of the Project would be constructed in compliance with all applicable building code requirements regarding soil stability.

d. Would the project be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections VI.b. and c. above for explanation.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The entire City is served by an existing sewer system and therefore has no need for septic tanks or any other alternative wastewater disposal systems. No further environmental analysis is required.

VII. GREENHOUSE GAS EMISSIONS

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

California is a substantial contributor of global greenhouse gases (GHGs), emitting over 400 million tons of carbon dioxide per year. Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Methane is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission.

The Project would not result in direct or indirect significant GHG impacts, but rather would establish changes to the City's Zoning Ordinance to simplify the process and time to obtain a Conditional Use Permit. No further environmental analysis is needed.

b. Would the project conflict with an applicable plan, policy, or regulations adopted for the purpose of reducing the emissions of greenhouse gases?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VII.a. above for discussion. The proposed Project would not permit any land use operations that would conflict with any plans, policies or regulations related to the reduction of greenhouse gas emissions. No further environmental analysis is needed.

VIII. HAZARDS AND HAZARDOUS MATERIALS

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Any future land uses or activities that would be subject to the provisions of this Project that involve the handling and disposal of hazardous or potentially hazardous materials would be required to fully comply with Long Beach Municipal Code Sections 8.86 through 8.88 as well as all existing State safety regulations. No further environmental analysis is required.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VIII.a. above for discussion.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section VIII.a. above for discussion.

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Any future land uses that would be regulated by the provisions of this Project would not be permitted to create any significant hazards to the public

or the environment by operating at a location included in the Cortese List. Please see Section VIII.a. above for further discussion.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Long Beach Airport is located within the City, just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. The Project would not alter air traffic patterns or encourage future developments that could conflict with established Federal Aviation Administration (FAA) flight protection zones. All future development in the vicinity of the Long Beach Airport would be in compliance with all applicable local and FAA requirements. Please see Section VIII.a. above for further discussion.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

g. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not encourage or otherwise set forth any policies or recommendations that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No further environmental analysis is required.

h. Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are

adjacent to urbanized areas or where residences are intermixed with wild lands?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The City is a highly urbanized community and there are no properties located adjacent to wild lands and there is no risk of exposing people or structures to a significant risk of loss, injury or death involving wild land fires. No further environmental analysis is required.

IX. HYDROLOGY AND WATER QUALITY

The Federal Emergency Management Agency (FEMA) has produced a series of Flood Insurance Rate Maps (FIRMs) designating potential flood zones (based on the projected inundation limits as well as the 100-year flood as delineated by the U.S. Army Corps of Engineers).

a. Would the project violate any water quality standards or waste discharge requirements?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would be consistent with all chapters of the General Plan, including the Conservation Element. All activities subject to the provisions of this Project would be required to be in full compliance with all applicable federal, State and local water quality standards and regulations. No further environmental analysis is required.

b. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section IX.a. above for discussion. The City is a highly urbanized community with the water system infrastructure fully in place to accommodate future development consistent with the General Plan.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not encourage or enable any alterations to existing drainage patterns or to the course of streams or rivers. Please see Section IX.a. above for further discussion.

d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections IX.a. and c. above for discussion.

e. Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections IX.a. and c. above for discussion. The City's existing storm water drainage system is adequate to accommodate runoff from any future land uses subject to the provisions of this Project. The Project would not adversely affect provisions for retention and infiltration of stormwater consistent with the City's Low Impact Development (LID) policies.

f. Would the project otherwise degrade water quality?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Sections IX.a. and c. above for discussion. All future developments and land uses activities involving Project regulations would be subject to all applicable water quality standards, regulations and best management practices.

g. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

According to the Federal Emergency Management Agency (FEMA), most of Long Beach is located in Zone X, which is outside of the 100 year flood hazard area. The Project would not directly or indirectly result in placing any residential land uses in flood hazard areas. No further environmental analysis is necessary.

h. Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section IX.g. above for discussion.

i. Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section IX.g. above for discussion. The City of Long Beach is not located in the proximity of a levee or dam.

j. Would the project result in inundation by seiche, tsunami or mudflow?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

According to Plate 11 of the Seismic Safety Element, the majority of Long Beach is not within a zone influenced by the inundation of seiche, tsunami, or mudflow. Potential tsunami hazards would be limited to properties and public improvements near the coastline. The proposed Project would not result in any increased risk of inundation to any properties. Please see Section IX.g. for further discussion.

X. LAND USE AND PLANNING

a. Would the project physically divide an established community?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project consists of various changes to Title 21 of the Long Beach Municipal Code (Zoning Ordinance) to simplify the process and time to obtain a Conditional Use Permit and would not directly or indirectly divide any established community. No further environmental analysis is required.

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Section X.a. above for discussion. The Project would not conflict the City's General Plan, the 2010 Strategic Plan, or any other applicable land use plans and policies. Impacts to existing local regulations would therefore be less than significant.

c. Would the project conflict with any applicable habitat conservation plan or natural communities conservation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

See Sections X.a. and b. above for discussion. The City is a highly urbanized environment characterized by in-fill developments that recycle previously developed properties. No habitat conservation plan or natural communities conservation plan would be impacted by Project implementation.

XI. MINERAL RESOURCES

Historically, the primary mineral resources within the City of Long Beach have been oil and natural gas. However, oil and gas extraction operations have diminished over the last century as the resources have become depleted. Today, extraction operations continue but on a reduced scale compared to past levels.

- a. **Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not propose any alteration of local mineral resource land uses and there are no mineral resource activities that would be altered or displaced by Project implementation. No further discussion is required.

- b. **Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XI.a. above for discussion.

XII. NOISE

Noise is defined as unwanted sound that disturbs human activity. Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to

account for this variability. Noise level measurements include intensity, frequency, and duration, as well as time of occurrence.

Some land uses are considered more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. Residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, parks and outdoor recreation areas are more sensitive to noise than are commercial and industrial land uses.

a. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Future construction activities related to land uses subject to the provisions of this Project could involve various types of short-term noise impacts from trucks, earth-moving equipment, and paving equipment. However, all construction activities and land use operations must be performed in compliance with the City's Noise Ordinance (Long Beach Municipal Code Section 8.80). Project implementation would not alter the Noise Ordinance provisions or exempt any future land uses or improvements from local noise controls. The local Noise Ordinance would continue to regulate all future land use construction and operational noise levels. No further environmental analysis of this issue is necessary.

b. Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XII.a. above for discussion. Project implementation would occur in compliance with local noise and vibration controls.

c. Would the project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XII.a. above for discussion.

d. Would the project create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project ?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XII.a. above for discussion.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Long Beach Airport is located within the City just north of the 405 freeway between Cherry Avenue and Lakewood Boulevard. All future development in the vicinity of the Long Beach Airport would be in compliance with all applicable local and FAA requirements. The Project would not alter air traffic patterns or encourage developments that could conflict with established Federal Aviation Administration (FAA) flight protection zones. No further environmental analysis is necessary.

f. For a project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area excessive noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

There are no private airstrips located within or adjacent to the City. No further environmental analysis is required.

XIII. POPULATION AND HOUSING

The City of Long Beach is the second largest city in Los Angeles County. At the time of the 2000 Census, Long Beach had a population of 461,522, which was a 7.5 percent

increase from the 1990 Census. The 2010 Census reported a total City population of 462,257.

a. Would the project induce substantial population growth in an area, either directly or indirectly?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves various changes to Title 21 of the Long Beach Municipal Code (Zoning Ordinance) to simplify the process and time to obtain a Conditional Use Permit. It is not intended to directly or indirectly induce population growth. No further environmental analysis is required.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project does not set forth or encourage any policies, activities or implementation measures that would directly or indirectly displace existing residential units in the City. No further environmental analysis is required.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XIII.b. above for discussion. The Project does not set forth or encourage any policies, activities or implementation measures that would directly or indirectly displace people residing in the City.

XIV. PUBLIC SERVICES

Fire protection would be provided by the Long Beach Fire Department. The Department has 23 stations in the City. The Department is divided into bureaus of Fire Prevention, Fire Suppression, the Bureau of Instruction, and the Bureau of Technical Services. The Fire Department is accountable for medical, paramedic, and other first aid rescue calls from the community.

Police protection would be provided by the Long Beach Police Department. The Department is divided into bureaus of Administration, Investigation, and Patrol.

The City of Long Beach is served by the Long Beach Unified School District, which also serves the City of Signal Hill, Catalina Island and a large portion of the City of Lakewood. The District has been operating at or over capacity during the past decade.

Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves changes to the City's Zoning Ordinance regarding Conditional Use Permits and is not intended to directly or indirectly induce population growth that could result in increased demand for fire protection services or fire protection facilities. No further environmental analysis is required.

b. Police protection?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Similar to Section XIV.a. above, the Project would not significantly increase demands for police protection service, nor require provision of new police facilities.

c. Schools?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Similar to Section XIV.a. above, the Project would not result in any significant increased demand for public school services or facilities.

d. Parks?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Similar to Section XIV.a. above, the Project would not generate any significant additional demand for provision of park services or facilities by the City.

e. Other public facilities?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

No other impacts have been identified that would require the provision of new or physically altered governmental facilities.

XV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves simplifying the City's Conditional Use Permit regulations and is not intended to directly or indirectly induce population growth that could result in increased demand for recreational facilities. No further environmental analysis is required.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XV.a. above. No further environmental analysis is required.

XVI. TRANSPORTATION/TRAFFIC

a. **Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project involves simplifying the City's Conditional Use Permit regulations and is not intended to directly or indirectly induce population or employment growth that could result in increased number of vehicle trips, volume to capacity ratios, or traffic congestion. No further environmental analysis is required.

b. **Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XVI.a. for discussion. Since the Project would not encourage or plan for significant traffic growth, there would be no significant impacts on levels of service.

c. **Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project regulatory requirements would have no impact on air traffic patterns. No further environmental analysis is required.

d. **Would the project substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not create or encourage any hazardous transportation related design features or incompatible uses. No further environmental analysis is required.

e. Would the project result in inadequate emergency access?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not propose or encourage any specific land uses or developments or transportation network modifications that would have the potential to result in deficient or inadequate emergency access routes. No further environmental analysis is required.

f. Would the project conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project would not propose or encourage any specific land uses or developments or transportation network modifications that would conflict with adopted policies supporting alternative transportation. No further environmental analysis is required.

XVI. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, that is:

- a. Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources as defined in Public Resources Code Section 5020.1(k)?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section V. above. Project implementation would not result in any specific construction activities involving extensive excavation, and therefore would not be anticipated to significantly affect or destroy any Native American tribal cultural resources. No further environmental analysis is required.

- b. A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

Please see Section XVI.a. above. No further environmental analysis is required.

XVIII. UTILITIES AND SERVICE SYSTEMS

- a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

- b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

- c. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

d. **Would the project have sufficient water supplies available to serve the project from existing entitlement and resources, or are new or expanded entitlement needed?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

e. **Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

f. **Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

g. **Would the project comply with federal, state, and local statutes and regulations related to solid waste?**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

For Sections XVIII.a. through g.: The Project involves simplifying the process and time to obtain a Conditional Use Permit and would not be expected to place an undue burden on any utility or service system. The City of Long Beach is an urbanized setting with all utilities and services fully in place. Future demands for utilities and service systems have been anticipated in the General Plan goals, policies and programs for future growth. No further environmental analysis is necessary.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

As determined in Section IV. Biological Resources and Section V. Cultural Resources, the Project would have no significant adverse impacts on biological or cultural resources. The proposed Project would not degrade the quality of the environment, impact any natural habitats, effect any fish or wildlife populations, threaten any plant or animal communities, alter the number or restrict the range of any rare or endangered plants or animals, or eliminate any examples of the major periods of California history or prehistory.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporation Less Than Significant Impact No Impact

The Project regulatory provisions for Conditional Use Permit requirements would not contribute to any cumulative growth effects beyond what is anticipated for the City's future in the General Plan.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

The land use requirements of this Project would not directly or indirectly cause any substantial adverse effects on human beings. For this reason, the City has concluded that this Project can be implemented without causing significant adverse environmental effects and determined that the Negative Declaration is the appropriate type of CEQA documentation.