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ORDINANCE NO. ORD-06-0041

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING AND RESTATING THE
ATLANTIC AVENUE PLANNED DEVELOPMENT DISTRICT
(PD-25)

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

WHEREAS, the City Council, hereby finds that the proposed amendments
to the Atlantic Avenue Planned Development District (PD-25) will not adversely affect
the character, livability or appropriate development of the surrounding properties and
that the proposed amendments are consistent with the goals, objectives and provisions
of the General Plan.

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

Section 1. The Atlantic Avenue Planned Development District is hereby
adopted and restated in its entirety as set forth in Exhibit "A", which exhibit is attached
hereto and incorporated herein by this reference.

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

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

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1 following vote:

2 Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
3 O'Donnell, Schipske, Richardson,
4 Reyes Uranga, Gabelich, Lerch.

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6 Noes: Councilmembers: None.

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8 Absent: Councilmembers: None.

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12 City Clerk

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14 Approved: 10/6/06

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17 Mayor

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27 MJM:kjm 9/13/06 #06-04186
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ATLANTIC AVENUE PLANNED DEVELOPMENT DISTRICT (PD-25)

Ordinance No. C7882

I. PURPOSE AND INTENT

- A. The intent of this Atlantic Avenue Planned Development Plan is to establish guidelines for the use and the development of those parcels of land along Atlantic Avenue generally between Pacific Coast Highway to the south and Willow Street to the north.
- B. This area currently suffers from blighted conditions, including vacant and underutilized commercial structures, deteriorated commercial and residential structures and incompatible land uses. These conditions have increased crime in the area and have had a negative impact on the adjacent residential neighborhood.
- C. The purpose of this Planned Development Ordinance (PD-25) is to ensure that the recycling and reinvestment that occur along this portion of Atlantic Avenue result in high quality developments and provide compatible uses that complement and serve the adjoining residential neighborhood. In addition to prohibiting certain uses that might have a negative impact on the area, certain uses such as child care are specifically encouraged.

II. DEVELOPMENT REVIEW PROCESS

- A. Except for interior and exterior remodeling, no building permit shall be issued for any development in the PD-25 Zoning District until a Site Plan Review has been approved, or conditionally approved, for that development by the Site Plan Review Committee under the procedures for Site Plan Review set forth in the Zoning Regulations. Utility and infrastructural facilities shall be part of the Site Plan Review. No building permits shall be issued until construction plans have been approved and surety provided for all utility and infrastructural improvements. No grading permits shall be issued until all soil studies and drainage plans relevant to such grading have been approved and surety provided for. Each applicant shall also submit detailed plans of the security package to the Crime Prevention Unit of the Police Department for review.

III. LAND USE AND DEVELOPMENT STANDARDS

A. Uses.

The use and development standards shall be as follows:

1. Residential Development

Residential projects shall be of a town home design and conform to the R-3-T standards. However, the height, front and rear yard setbacks shall conform to the CNR standards.

2. Residential Use Limitation

No new residential development shall be located on the ground floor within one hundred feet of any existing liquor store (defined as any establishment which sells distilled spirits for off-premise consumption) unless it can be demonstrated, to the satisfaction of the Director of Planning and Building, that the design of the project mitigates the negative locational aspects of locating next to a liquor store.

3. Commercial Development

All commercial projects shall conform to the development standards of the CNR zone.

a. The attached "PD-25 Use Table" indicates the classes of uses permitted, not permitted, or permitted by special hearing processes which, as set forth, shall apply in the PD-25 Zoning District.

b. Access for new commercial developments shall be from a side street or alleyway.

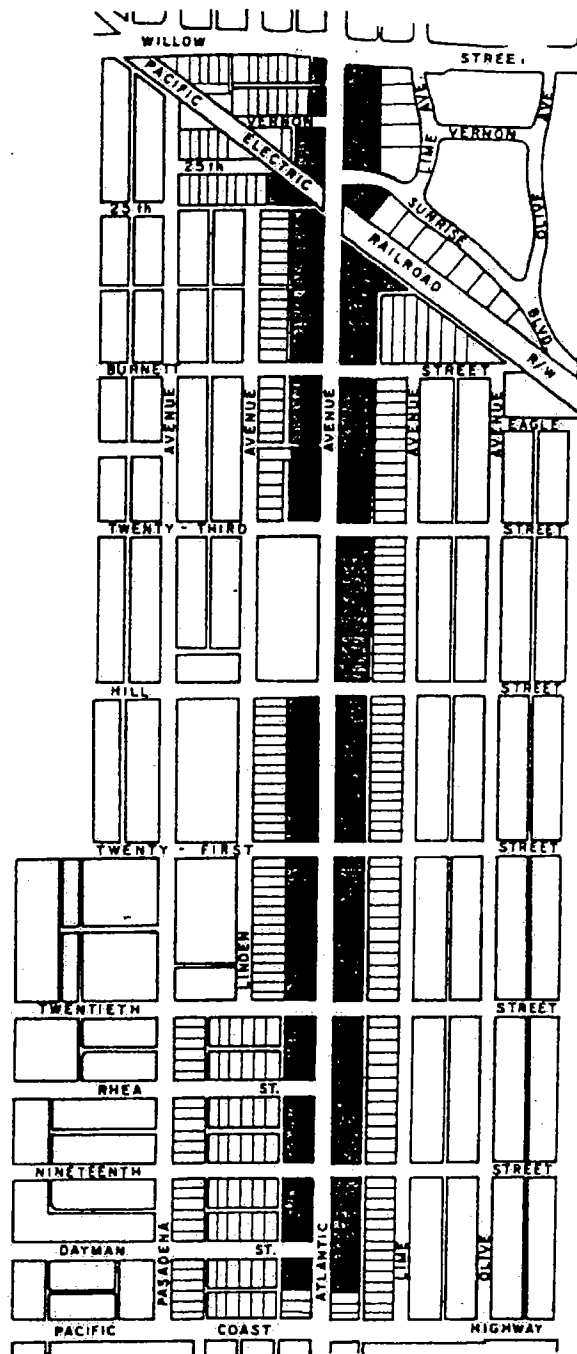
4. Landscaping

The landscaping along Atlantic Avenue shall be of a uniform treatment using London Plan Trees for street trees and Bradford Pear Trees and mounded grass within the front yard area.

5. Historical District

The permitted use for properties located within a designated historical district shall be the same as that permitted by the historical district. In addition, a residential care facility may be permitted with a Conditional Use Permit by using the same requirements as the CO zone provided that such a facility shall be

established within a designated landmark building, and no new construction of additional floor areas shall be permitted.



PD-25

OF THE USE DISTRICT MAP. PART 9,10,15,16

REZONING CASE

8811-2 RZ

PD-25 USE TABLE			
Uses			Comments
ALCOHOLIC BEVERAGE SALES:	Off-premises sales as accessory use to a full line grocery store	C	Note: For alcoholic beverage sales exempted from the CUP process, see Footnote #2. Note: The concentration of existing ABC licenses & the area crime rate are factors considered in reviewing applications for alcohol sales.
	All other off-premise sales	N	
	On-premise sales as accessory use to a restaurant	C	
	All other on-premise sales	N	
AUTOMOBILE (VEHICLE) USES:	Auto Detailing (with hand held machines only)	AP	Mobile businesses prohibited.
	Car Wash	N	
	Gasoline Sales	C	Site plan review is required. For auto repair, see "Minor Auto Repair".
	General Auto Repair (body work, painting, etc)	N	
	Minor Auto Repair, Tune Up & Lube, Smog Test	N	
	Limousine Service	Y	Fully enclosed garage required.
	Motorcycle/Jet Ski Sales & Repair	N	
	Parking Service - principal use	C	
	Recreational Vehicle Storage	N	
	Rental Agency (does not include repair)	N	
	Sales (does not include auto repair)	N	
	Towing	N	
	Vehicle Parts (with installation); Tire Store	N	
	Vehicle Parts (w/o installation)	AP	
BILLBOARDS:	Mini-poster or Poster (up to 300 sq. ft)	N	
	Painted Board (300 sq. ft or more)	N	
BUSINESS OFFICE SUPPORT	Copy, Fax, Mail Box, or Supplies	Y	

PD-25 USE TABLE			
Uses			Comments
	Equipment Sales, Rental or Repair	Y	
	Off-set Printing	N	
ENTERTAINMENT	Amusement Machines (4 or fewer)	N	
	Arcades	C	See Section 21.52.203
	Computer Arcades	C	See Section 21.52.220.5
	Dancing (accessory use)	N	
	Drive-in Theater	N	
	Hall Rental	AP	
	Live or Movie Theater (w/100 seats or less)	AP	For theaters w/100+ seats, see "Movie"
	Mock Boxing or Wrestling	N	
	Moving Theater (or Live Theater w/100+ seats)	N	
	Pool Tables (up to 3 tables)	A	Accessory to restaurant, tavern, community center, cultural center, or church (See 21.51.260)
	Private Club, Social Club, Night Club	N	
	Restaurant with Entertainment	Y	City Council hearing is required for new and transferred business licenses
	Other Entertainment Uses (bowling alley, miniature golf, tennis club, skating rink)	AP	
FINANCIAL SERVICES:	ATM (walk-up machine)	A	Requires 2(5 min) parking spaces for each machine. Spaces must be within 100'. Such spaces may be existing required parking. (See 21.32.240) Special standards of CNR zone apply.
	Bank, Credit Union, Saving & Loan	Y	
	Bank (with drive-up ATM or window)	AP	
	Check Cashing	AP	
	Escrow, Stocks & Bonds Brokerage	Y	

PD-25 USE TABLE			
Uses			Comments
	All Financial Services Not Listed	AP	
INSTITUTIONAL USES:	Church or Temple	AP	
	Community Center/Cultural Center	AP	Operator must be a non-profit agency
	Convalescent Hospital or Home	N	
	Crematorium	N	
	Daycare or Pre-school	Y	
	Elementary or Secondary School	N	Permitted in Institutional zones only
	Industrial Arts Trade School or Rehabilitation Workshop	N	
	Mortuary	N	
	Parsonage	A	Accessory to church or temple.
	Professional School/Business School	Y	
	Social Service Office (without food distribution)	AP	
	Social Service Office (with food distribution)	AP	
	Other Institutional Uses	C	
PERSONAL SERVICES:	Basic Personal Services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances/bicycles/ electronic equipment, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding)	Y	
	Catering, Party Counseling (w/o trucks)	Y	For catering w/trucks, see Table 33-1
	Fitness Center/Health Club, Dance/Karate Studio	AP	Limited to 5000 sq. ft.
	Fortune-telling	N	
	Gun Repair Shop	N	

PD-25 USE TABLE			
Uses			Comments
	House Cleaning Service	Y	
	Laundromat	Y	
	Laundry (commercial customers)	N	Permitted in Industrial zones only.
	Massage Establishment	Y	
	Recycling Center	N	Permitted in Industrial zones only.
	Recycling Collection Center for cans & bottles (staff attended)	N	
	Recycling Containers for cans & bottles	A	Accessory to grocery store only (See 21.51.265).
	Repair Shop (stove, refrigerator, upholstery, lawn mowers, etc.)	N	For small appliance repair, see "Basic Personal Services".
	Self-storage (indoor only)	N	
	Shoe Repair	Y	
	Shoe-shine Stand	A	Accessory to barber, car wash, grocery, hotel, office, or restaurant use.
	Tattoo Parlor	N	
	Termite & Pest Control	N	See "MISC.-Storage of Haz. Materials".
	Veterinary Clinic w/boarding	N	Also see "Basic Personal Services"
	All Personal Services Not Listed	AP	
PROFESSIONAL SERVICES	Accounting, Advertising, Architecture, Artist Studio, Bookkeeping, Business Headquarters, Chiropractics, Computer Programming, Consulting, Contracting, Dentistry, Engineering, Insurance, Law, Marketing, Medicine, Photography, Private Investigator, Psychiatry, Psychology, Real Estate, or Tax Preparation	Y	
	All Professional Offices Not Listed	AP	
RESIDENTIAL USES	Artist Studio with Residence	Y	
	Caretaker Residence	AP	

PD-25 USE TABLE			
Uses			Comments
	Group Home (care of six or less)	Y	
	Residential Care Facility (care of seven or more)	N	
	Senior and/or Handicapped Housing	AP	
	Special Group Housing (fraternity, sorority, convalescent home, convent, monastery, etc)	N	
	Single-family or Multi-family Residential	Y	See Table 31-2B (R-3-T) for permitted densities.
RESTAURANTS & READY-TO-EAT FOODS	Restaurants & Ready-to-Eat Foods without drive-thru lanes	Y	Note: For use selling alcoholic beverages, see "ALCOHOLIC BEV. SALES"
	Restaurants & Ready-to-Eat Foods with drive-thru lanes	C	Special standards apply. (See 21.45.130)
RETAIL SALES	Basic Retail Sales (except uses listed below)	Y	Note: Antiques, art, books (new & used), coins, collectibles, jewelry, and trading cards are included in "Basic Retail"
	Building Supply or Hardware Store with lumber, drywall, or masonry	N	For hardware store w/o lumber, drywall, or masonry, see "Basic Retail Sales"
	Auxiliary Flower, Plant, Fruit, or Vegetable Sales (outdoor stand or nursery)	A	Accessory to the sale of related products in a retail store. (See 21.51.255)
	Flower Stand or News Stand	Y	Requires special permit. (See 21.45.135)
	Gun Shop	N	
	Itinerant Vendor	T	
	Major Household Appliances (refrigerator/stoves/etc.)	N	
	Manufacture of Products Sold on Site	A	See 21.51.140
	Merchandise Mall, Indoor Swap Meet	N	
	Outdoor Sales Events (flea mkts/swap meet)	N	

PD-25 USE TABLE			
Uses			Comments
	Pawn Shops	N	
	Superstore (Retail > 100,000 SF with > 10% non-taxable merchandise)	N	See 21.15.2985
	Thrift Store, Used Merchandise	AP	Also see Note under "Basic Retail"
	Vending Machines	A	Accessory to existing retail sales. (See 21.51.295)
TEMPORARY LODGING	Bed & Breakfast Inn	AP	
	Hotel	AP	
	Motel	N	
	Inn	N	
	Shelters	N	
TEMPORARY USES	Carnival, Event, Fair, Trade Show, etc.	T	
	Construction Trailer	T	
TRANSPORTATION AND COMMUNICATION FACILITIES	Transportation Facilities (bus terminals, cab stands, heliports, helistops)	N	
	Communication Facilities (cellular telephone cell site, electrical distribution station)	N	
MISCELLANEOUS	Storage of Hazardous Materials Accessory to Principal Use (such as pest control)	C	A CUP is required if amount of material stored exceeds 55 gal. of liquid, 500 lbs of solids, 200 cubic feet of compressed gas, or any amount of acutely hazardous material.

Abbreviations:

- Y = Yes (permitted use)
 N = Not permitted
 C = Conditional Use Permit is required
 A = Accessory Use
 AP = Administrative Use Permit is required
 T = Temporary use subject to provisions contained in Chapter 21.53.

Footnotes:

- (1) Any use in excess of 10,000 sq. ft. requires an Administrative Use Permit.
- (2) The following alcoholic beverage sales shall be exempted from the CUP permit requirement:
 - a. Restaurant with alcoholic beverage service only with meal. 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 with a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a condition use permit to continue to sell alcohol.
 - b. Use located more than 500 feet from zoning districts allowing residential use.
 - c. Department store or florist with accessory sale of alcoholic beverages.
 - d. Existing legal, nonconforming uses.

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