



# CITY OF LONG BEACH

# H-1

DEPARTMENT OF DEVELOPMENT SERVICES

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

December 4, 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 02-18;

Declare an Ordinance amending Title 21, Zoning Regulations, of the Long Beach Municipal Code to: (1) update regulations for religious assembly uses to be equal to, or more flexible than, other assembly uses; (2) classify different size assembly uses to be permitted, conditionally permitted, or not permitted in various zoning districts; (3) update development standards for religious assembly uses; and, (4) provide new definitions to ensure that land uses are categorized properly, 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

In March 2017, the City of Long Beach (City) received an inquiry from the United States Department of Justice (USDOJ) about the zoning regulations pertaining to religious assembly uses, specifically noting that churches are not permitted in the Commercial-Neighborhood Pedestrian-Oriented (CNP) zone, but are permitted in other commercial zones. After a four-month investigation, the USDOJ concluded that certain City land use regulations could be in violation of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA) and be construed as constituting an unfair treatment of religious assembly uses when compared to non-religious assembly uses. The City's existing regulations allow for churches and places of worship to be conditionally permitted in most commercial zones (CNP excepted) with approval of an Administrative Use Permit (AUP). In PD-30 (Downtown Plan), a Minor Conditional Use Permit is required for a church use. The USDOJ commented that uses like fitness centers and theaters, which have physical characteristics that could resemble those of religious assembly uses, did not require the same review process. The City has initiated these amendments to the zoning regulations, with guidance and collaboration from the USDOJ, to provide assurance that religious assembly uses are treated in a consistent manner as other similar land use.

This work effort provided staff the opportunity to correct other inconsistencies in the Zoning Code as well as modernize some of the outdated provisions for non-religious assembly uses, such as fitness centers and theaters. As the nature of these assembly uses have changed over the past several decades, updating these provisions will provide clarification and better respond to the needs of these business establishments while ensuring that they are appropriate to the zoning district in which they are located.

The proposed Zoning Code amendment generally consists of the following modifications:

- Clarify the descriptions of the Neighborhood Commercial Pedestrian-Oriented (CNP) and Community Commercial – Pedestrian Oriented (CCP) zones to indicate that they are intended as pedestrian-oriented environments.
- Amend use regulations to create a tiered system whereby low-intensity uses in small-scale neighborhoods are permitted by right, those that may be permitted with conditions of approval are subject to discretionary review, and high-intensity uses in low-intensity zoning districts are prohibited. These standards are applied to religious assembly uses, fitness facilities, and live/movie theaters.
- Allow assembly uses by right when they are in conjunction with another primary use and are less than 25 percent of the total gross floor area of the primary use. This would allow for the inclusion of accessory assembly spaces or uses as a component of a primary use without triggering a requirement for a discretionary approval.
- Update existing development standards to incorporate buffers between adjacent residential areas, setbacks for uses from adjacent residential areas, while carrying over other existing development standards.
- Include an administrative process for religious assembly uses to seek relief from development standards, under the provisions of RLUIPA.

The Planning Commission considered these amendments on September 20, 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. The USDOJ has reviewed the draft language and has indicated that this approach addresses their concerns regarding consistency with similar assembly uses.

A Notice of Public Hearing was published in the Long Beach Press-Telegram on October 20, 2018, sent to the California Coastal Commission, and posted at all City libraries. 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), Negative Declaration ND 02-18 was prepared for the proposed amendments

HONORABLE MAYOR AND CITY COUNCIL

December 4, 2018

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(Attachment C – Negative Declaration). The Negative Declaration was made available for a 30-day public review and comment period that began on July 2, 2018 and ended on August 1, 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.

This matter was reviewed by Assistant City Attorney Michael J. Mais on October 23, 2018 and by Budget Analysis Officer Julissa José-Murray on October 19, 2018.

TIMING CONSIDERATIONS

City Council action is requested on December 4, 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 September 20, 2018.

FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation.

**SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,



LINDA F. TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

LFT:CK:CT:vbc  
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Attachments: Ordinance  
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 AMENDING SECTIONS 21.15.590,  
21.15.1470, 21.15.2005, 21.15.2810, 21.25.502.A.3,  
21.32.020, AND TABLE 32-1; BY ADDING SECTIONS  
21.15.245, 21.15.595, 21.15.707, 21.15.1054, 21.15.2195,  
21.15.2273, 21.52.219.8, AND 21.52.232; AND BY  
REPEALING SECTIONS 21.15.510 AND 21.52.213,  
RELATING TO ASSEMBLY USES

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

Section 1. Section 21.15.590 of the Long Beach Municipal Code is  
amended to read as follows:

21.15.590 Communal housing.

"Communal housing" means housing for nonfamily groups with  
common kitchen and dining facilities but without medical, psychiatric or  
other care. Communal housing includes boarding house, lodging house,  
dormitory, fraternity house, commune, and religious home. Communal  
housing does not include handicapped or senior citizen housing,  
residential care facility, or convalescent hospital or parsonage as defined  
by this Code.

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1                   Section 2.    Section 21.15.1470 of the Long Beach Municipal Code is  
2 amended to read as follows:

3                   21.15.1470   Institutional use.

4                   "Institutional use" means a category of land use characterized by  
5 emphasis upon educational, cultural, or public service activities whether for  
6 profit or of a nonprofit nature.

7  
8                   Section 3.    Section 21.15.2005 of the Long Beach Municipal Code is  
9 amended to read as follows:

10                  21.15.2005   Parsonage.

11                  "Parsonage" means an accessory residential use on the same  
12 property and occupied by employees of a church or other religious  
13 assembly or institutional use who provide spiritual guidance to members.

14  
15                  Section 4.    Section 21.15.2810 of the Long Beach Municipal Code is  
16 amended to read as follows:

17                  21.15.2810   Special group residence.

18                  "Special group residence" includes, but is not limited to, fraternity  
19 and sorority houses, college dormitories, residential care facility,  
20 convalescent hospitals, senior citizen housing, handicapped housing,  
21 halfway houses, military barracks and religious homes. Special group  
22 residence does not include group homes or parsonage as defined by this  
23 Code.

24  
25                  Section 5.    Section 21.25.502.A.3 of the Long Beach Municipal Code is  
26 amended to read as follows:

27                  3.       Industrial or public assembly use. Industrial or public  
28 assembly use projects with five thousand (5,000) square feet or more of

1 floor area of new construction, except those located in the IP (Port) zoning  
2 district. Projects located in the IP zone shall be exempt from site plan  
3 review, except those projects which are located on a major arterial as  
4 defined by the Mobility Element of the General Plan.

5  
6 Section 6. Table 32-1, Uses in All Other Commercial Zoning Districts, in  
7 Section 21.32.130 of the Long Beach Municipal Code is amended to read as shown on  
8 Exhibit A attached hereto.

9  
10 Section 7. Section 21.32.020 of the Long Beach Municipal Code is  
11 amended to read as follows:

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

13 A. Commercial Zoning Districts Of General Applicability.

14 1. The CO-Office Commercial District permits mixed  
15 residential and commercial uses along major arterial routes. This District  
16 implements Land Use District No. 8M of the General Plan.

17 2. The CH-Highway Commercial District preserves and  
18 enhances areas for automobile-oriented commercial uses. The District  
19 recognizes the need for many commercial uses to have large frontages and  
20 high visibility along major highways. This District implements Land Use  
21 District No. 8A of the General Plan.

22 3. The CT-Tourist and Entertainment Commercial District  
23 creates, preserves and enhances areas for the development of a major  
24 tourist and entertainment industry for the City. The District recognizes that  
25 such areas have special requirements for intense and unique uses,  
26 transportation linkages, and aesthetically pleasing environments.

27 B. Neighborhood Commercial Zoning Districts. The  
28 Neighborhood Commercial Zoning District includes neighborhood-serving

1 centers and corridors that provide small scale, low-intensity uses to meet  
2 the daily retail and service needs of surrounding residents. Uses and the  
3 scale of development shall be compatible with surrounding residential  
4 neighborhoods and shall be designed to promote pedestrian and bicycle  
5 access. Scale is determined by the size of adjoining residential uses, the  
6 commercial lot size and the commercial street width. Special scale  
7 restrictions apply in these districts. There are three (3) types of  
8 Neighborhood Commercial Districts:

9 1. The Neighborhood Pedestrian (CNP) District is oriented  
10 towards serving pedestrians and encouraging pedestrian activity by locating  
11 buildings along the primary street frontage and parking behind the buildings.

12 2. The Neighborhood Automobile-Oriented (CNA) District  
13 is auto-oriented with buildings set back from the front property line and  
14 parking located between the building and the street.

15 3. The Neighborhood Commercial and Residential (CNR)  
16 District is a mixed-use district permitting small scale commercial uses and/or  
17 moderate density residential development at R-3-T densities.

18 C. Community Commercial Zoning Districts. The Community  
19 Commercial Zoning Districts provide medium scale uses that serve an entire  
20 community, including those who arrive by automobile, and which may  
21 require buffering to ensure compatibility with adjacent residential  
22 neighborhoods. These districts are located on major or minor arterials,  
23 located on larger lot sizes and adjoining larger scale residential  
24 neighborhood uses or are buffered from smaller scale residential  
25 neighborhoods. There are four (4) types of Community Commercial  
26 Districts:

27 1. The Community Automobile-Oriented (CCA) District  
28 permits retail and service uses for an entire community including

OFFICE OF THE CITY ATTORNEY  
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1 convenience and comparison shopping for goods and associated services.

2 2. The Community Pedestrian-Oriented (CCP) District  
3 permits retail and service uses with a development character intended to  
4 encourage pedestrian activity with buildings built to the street property line  
5 and parking is to the side or the rear.

6 3. The Community R-4-R (CCR) District is similar to the  
7 Community Auto-Oriented District, but also permits moderate density  
8 residential development at R-4-R densities.

9 4. The Community R-4-N (CCN) District is similar to the  
10 Community Auto-Oriented District, but also permits medium density  
11 residential development at R-4-N densities.

12 D. Regional Commercial Zoning District. The Regional  
13 Commercial District provides for large scale, mixed uses on large sites in  
14 activity centers. These sites are located on major arterial streets and  
15 regional traffic corridors. There is one (1) type of Regional Commercial  
16 Zoning District:

17 1. The Regional Highway District (CHW) is a commercial  
18 use district for mixed scale commercial uses located along major arterial  
19 streets and regional traffic corridors. Residential use is not permitted.

20 E. Commercial Storage Zoning District. The Commercial Storage  
21 (CS) District encourages storage uses in areas which are particularly  
22 difficult to use due to parcel shape, access, adverse environmental  
23 conditions, or in areas where parcels are needed to form a buffer from  
24 incompatible uses.

25 //  
26 //



1                   Section 8.    Section 21.15.245 is added to the Long Beach Municipal  
2 Code to read as follows:

3           21.15.245    Assembly use.

4                   “Assembly use” means any facility for public or private meetings or  
5 gatherings including community centers, religious assembly facilities, civic  
6 and private auditoriums, union halls, meeting halls for clubs and other  
7 membership organizations and other uses that are classified as assembly  
8 use under the California Building Code. This definition includes related  
9 facilities for the use of members and attendees such as kitchens, multi-  
10 purpose rooms, and storage. This definition does not include gymnasiums  
11 or other sports facilities, convention centers, or facilities such as day care  
12 centers and schools that are separately defined and regulated.

13  
14                   Section 9.    Section 21.15.595 is added to the Long Beach Municipal  
15 Code to read as follows:

16           21.15.595    Community assembly.

17                   “Community assembly” means a facility for public or private meetings  
18 including community centers, banquet centers, religious assembly facilities,  
19 civic auditoriums, union halls, meeting halls for clubs and other membership  
20 organizations. This definition includes functionally related facilities for the  
21 use of members and attendees such as kitchens, multi-purpose rooms, and  
22 storage. It does not include gymnasiums or other sports facilities,  
23 convention centers, cultural facilities or facilities such as day care centers  
24 and schools that are separately classified and regulated.

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1                   Section 10.   Section 21.15.707 is added to the Long Beach Municipal  
2 Code to read as follows:

3           21,15.707   Cultural facility.

4                   "Cultural facility" means a facility engaged in activities to serve and  
5 promote aesthetic and educational interest in the community that are open  
6 to the public on a regular basis. This definition includes performing arts  
7 centers for theater, music, dance, and events; spaces for display or  
8 preservation of objects of interest in the arts or sciences; libraries;  
9 museums; historical sites; aquariums; art galleries; and zoos and botanical  
10 gardens. Facilities may include space for classes or lectures. It does not  
11 include schools or institutions of higher education providing curricula of a  
12 general nature or facilities for assembly uses.

13  
14                   Section 11.   Section 21.15.1054 is added to the Long Beach Municipal  
15 Code to read as follows:

16           21.15.1054   Fitness Facility.

17                   "Fitness Facility" means a primarily indoor establishment, which may  
18 include weight training facilities; swimming or exercise pool; sport courts  
19 (basketball, etc.); exercise, yoga, and martial arts classes; sauna, spa or hot  
20 tub facilities; and similar activities that are primarily conducted indoors.  
21 Fitness Facilities may include locker rooms, snack bars, and childcare for  
22 patrons, incidental offices and storage space.

23  
24                   Section 12.   Section 21.15.2195 is added to the Long Beach Municipal  
25 Code to read as follows:

26           21.15.2195   Public Library

27                   "Public Library" means a nonprofit library maintained for public use  
28 and usually supported in whole or in part by local taxation. A library is a

1 building or portion thereof where written, audio, visual, and other media are  
2 kept in some convenient order for use, but generally not for sale.

3  
4 Section 13. Section 21.15.2273 is added to the Long Beach Municipal  
5 Code to read as follows:

6 21.15.2273 Religious assembly.

7 "Religious assembly" is a type of community assembly use where a  
8 building or space is used primarily for persons to conduct worship or other  
9 religious ceremonies including, but not limited to, church, cathedral,  
10 mosque, shrine, synagogue or temple, and other religious worship places,  
11 facilities for religious instruction, incidental office, storage, and kitchen  
12 facilities. This definition does not include childcare facilities, schools  
13 (kindergarten through 12th grade), gymnasiums or other sports facilities.

14  
15 Section 14. Section 21.52.219.8 is added to the Long Beach Municipal  
16 Code to read as follows:

17 21.52.219.8 Community assembly uses.

18 Community assembly uses shall be located, developed, and  
19 operated in compliance with the following standards:

20 A. In a residential zone:

21 1. The proposed use may consist only of an expansion of  
22 an existing facility on the site or on the abutting site; and

23 2. The site shall be limited to forty thousand (40,000)  
24 square feet in size;

25 3. A long-range development plan consistent with the  
26 requirements of Section 21.34.020 shall be submitted for Planning  
27 Commission review and approval for any new or expanded use on any site  
28 larger than forty thousand (40,000) square feet. New construction and

1 additions with five thousand (5,000) square feet of floor area or more must  
2 be consistent with the long-range plan;

3 B. Any proposed addition or new construction shall conform to  
4 the development standards required for principal uses within the district.

5 C. Any new construction or additions with five thousand (5,000)  
6 square feet of floor area or more shall be subject to site plan review  
7 pursuant to Chapter 21.25, Division V;

8 D. A buffer at least twenty (20) feet in width shall be provided  
9 adjacent to the boundary of any residential zone or property line of any  
10 residential use. This buffer area may be used for parking or landscaping  
11 but shall not be used for structures or outside activities. The minimum  
12 buffer requirement may be reduced subject to the review and approval of a  
13 Conditional Use Permit pursuant to Chapter 21.25, Division II, as long as  
14 the reduced buffer maintains the minimum setback requirement of the  
15 district in which the facility is located. Parking areas shall be screened  
16 consistent with the requirements of Chapter 21.42.

17 E. Outdoor areas used for recreation, meetings, services or other  
18 activities involving groups of persons shall be at least fifty (50) feet from the  
19 boundary of any residential zone or property line of any residential use.

20 F. Parking shall be provided in accordance with Chapter 21.41.

21 G. To ensure compliance with the Federal Religious Land Use  
22 and Institutionalized Persons Act of 2000 (RLUIPA), the Planning  
23 Commission or the Zoning Administrator shall have the authority to grant  
24 exceptions and waivers to the requirements of this Code when necessary to  
25 accommodate religious assembly uses.

26 1. A request for an exception or waiver shall be submitted  
27 and processed in the same manner as an application for an Administrative  
28 Use Permit consistent with the requirements of Chapter 21.25, Division IV,

1 Administrative Use Permits.

2 2. If necessary to reach a determination on the request for  
3 exception or waiver, the Zoning Administrator may request further  
4 information from the applicant, specifying in detail what information is  
5 required.

6 3. Findings required. The following findings must be  
7 analyzed, made and adopted before any action is taken to approve or deny  
8 a request for a modification or waiver and must be incorporated into the  
9 record of the proceeding relating to such approval or denial:

10 a. The requested exception or waiver will not  
11 impose an undue financial or administrative burden on the City.

12 b. The requested exception or waiver will not  
13 require a fundamental alteration of the zoning or building laws, policies  
14 and/or procedures of the City.

15 c. There are no alternatives to the requested  
16 waiver or modification that could provide an equivalent level of function  
17 related to religious worship with less potential detriment to surrounding  
18 owners and occupants or to the general public.

19 d. That the conditions imposed, if any, are  
20 necessary to further a compelling public interest and represent the least  
21 restrictive means of furthering that interest;

22 e. That denial of the requested exception or waiver  
23 would impose a substantial burden on religious worship or would conflict  
24 with any State or federal statute.

25 f. For religious assembly uses located in the  
26 coastal zone, a request for reasonable accommodation under this Section  
27 shall be approved by the City if it is consistent with all of the applicable  
28 provisions of this Division, and the certified Local Coastal Program. Where

1 a request for a modification or waiver is not consistent with the certified  
2 Local Coastal Program, the City may waive compliance with an otherwise  
3 applicable provision of the Local Coastal Program and approve the request  
4 for reasonable accommodation if the City finds that the request is  
5 consistent, to the maximum extent feasible, with the certified Local Coastal  
6 Program.

7 4. Conditions of approval. In approving an exception or  
8 waiver to accommodate religious assembly use, the decision-maker may  
9 impose any conditions deemed necessary to:

10 a. Ensure that the proposal conforms in all  
11 significant respects with the General Plan and with any other applicable  
12 plans or policies adopted by the City Council;

13 b. Achieve the general purposes of this Section or  
14 the specific purposes of the zoning district in which the project is located;

15 c. Achieve the findings for an exception or waiver  
16 granted; or

17 d. Mitigate any potentially significant impacts  
18 identified as a result of review conducted in compliance with the California  
19 Environmental Quality Act.

20 5. Exceptions or waivers approved pursuant to this  
21 section may be conditioned to provide for rescission or automatic expiration  
22 based on a change of occupancy or other relevant change in circumstance.  
23 To ensure this, the property owner shall record a covenant demonstrating  
24 that the improvement with which the exception or waiver is associated shall  
25 be removed or modified to comply with City regulations at the expense of  
26 the property owner when said circumstance or occupancy changes.

27 6. Appeals. The applicant or any aggrieved party may  
28 appeal decisions pursuant to this section or any conditions or limitations

1 imposed by the Zoning Administrator.

2 a. All appeals shall contain a statement of the  
3 grounds for the appeal.

4 b. Appeals shall be to the Planning Commission, in  
5 accordance with Division V of Chapter 21.21 – Administrative Procedures.

6  
7 Section 15. Section 21.52.232 is added to the Long Beach Municipal  
8 Code to read as follows:

9 21.52.232 Fitness or health club, dance or karate studio and the like.

10 A. The use shall demonstrate adequate parking for  
11 peak demand.

12 B. The facility shall be limited to five thousand (5,000)  
13 square feet of gross usable floor area in neighborhood commercial zones  
14 (CNP, CAN and CNR).

15  
16 Section 16. Long Beach Municipal Code Sections 21.15.213 and  
17 21.15.510 are hereby repealed.

18  
19 Section 17. The City Clerk shall certify to the passage of this ordinance by  
20 the City Council and cause it to be posted in three (3) conspicuous places in the City of  
21 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
22 Mayor.

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24 //

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

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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



Table 32-1, Uses in All Other Commercial Zoning Districts

| Table 32-1: Uses in All Other Commercial Zoning Districts |              |     |     |           |     |     |          |     |       |                        |
|---|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|------------------------|
| Uses  | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations |
|   | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |                        |
| Entertainment   |              |     |     |           |     |     |          |     |       |                        |
| Live or movie theater (w/100 fixed seats or less)         | Y            | Y   | Y   | AP        | Y   | AP  | AP       | Y   | N     |                        |
| Live or movie theater (w/more than 100 fixed seats)       | AP           | AP  | AP  | Y         | AP  | Y   | Y        | CY  | N     |                        |
|   |              |     |     |           |     |     |          |     |       |                        |

| Table 32-1: Uses in All Other Commercial Zoning Districts   |              |     |     |           |     |     |          |     |       |   |
|---|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|---|
| Uses  | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations  |
|   | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |   |
| Public and Semi-Public Institutional  |              |     |     |           |     |     |          |     |       |   |
| Community Assembly Uses (Accessory Only < 25% of GFA)   | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     | Accessory assembly uses shall comply with applicable regulations for assembly uses, such as parking and building code requirements  |
| Religious assembly uses with<br>1) up to 2,500 sq. ft. of GFA and<br>2) 100 or fewer occupants                    | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     | See Section 21.45.125<br><br>Religious Assembly Uses shall be permitted (Y) in the PD-30 Downtown Plan Area (excluding Neighborhood Overlay), subject to Section 21.45.125. |
| Religious assembly uses with<br>1) between 2,501 sq. ft. and 25,000 sq. ft. GFA, or<br>2) more than 100 occupants | AP           | AP  | AP  | Y         | AP  | Y   | Y        | Y   | N     |   |
| Religious assembly uses with over 25,000 square feet of GFA   | N            | N   | N   | C         | N   | C   | C        | C   | N     |   |
| Convalescent hospital or home   | N            | N   | N   | N         | N   | C   | C        | N   | N     |   |
|   |              |     |     |           |     |     |          |     |       |   |

EXHIBIT "A"

| Table 32-1: Uses in All Other Commercial Zoning Districts |              |     |     |           |     |     |          |     |       |   |
|---|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|---|
| Uses  | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations  |
|   | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |   |
| Parsonage   | A            | A   | A   | A         | A   | A   | A        | A   | N     | Accessory to and on the same parcel as associated religious assembly use. |
| Private elementary or secondary school                    | N            | N   | N   | C         | C   | C   | C        | C   | N     | Special conditions apply (see Section 21.52.263 and 21.52.249).           |
|   |              |     |     |           |     |     |          |     |       |   |
|   |              |     |     |           |     |     |          |     |       |   |

| Table 32-1: Uses in All Other Commercial Zoning Districts   |              |     |     |           |     |     |          |     |       |  |
|---|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|--|
| Uses  | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations   |
|   | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |  |
| Personal Services   |              |     |     |           |     |     |          |     |       |  |
| Basic personal services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, fortunetelling, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances or electronic equipment, bicycles, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding) | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     |  |
|   |              |     |     |           |     |     |          |     |       |  |
| Fitness Facility up to 2,500 sq. ft. of GFA   | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     | See Section 21.52.232<br><br>Limited to 2,500 square feet in neighborhood zones. |
| Fitness Facility between 2,501 to 25,000 sq. ft. of GFA,  | AP           | AP  | AP  | Y         | AP  | Y   | Y        | Y   | N     |  |
| Fitness Facility over 25,000 sq. ft. of GFA   | N            | N   | N   | C         | N   | C   | C        | C   | N     |  |
|   |              |     |     |           |     |     |          |     |       |  |

## EXHIBIT "A"

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 religious and other assembly type uses;  
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 religious and other assembly type uses.  
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.

1 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
2 follows:

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

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

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

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

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

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
City Clerk



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5<sup>th</sup> Floor

Long Beach, CA 90802

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

September 20, 2018

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**RECOMMENDATION:**

Recommend that the City Council accept Negative Declaration ND 02-18 and approve Zoning Code Amendment (ZCA18-006) and Local Coastal Program Amendment (LCPA18-003) to amend Title 21 of the Long Beach Municipal Code (Zoning Ordinance) to: 1) update regulations for religious assembly uses to be equal to or more flexible than other assembly uses; 2) classify different size assembly uses to be permitted, conditionally permitted, or not permitted in various zoning districts; 3) update development standards for religious assembly uses; and 4) provide new definitions to ensure that land uses are categorized properly. (Citywide)

APPLICANT: City of Long Beach, Development Services Department  
333 West Ocean Boulevard, 5th Floor  
Long Beach, CA 90802  
(Application No. 1806-27)

**BACKGROUND**

In 2000, the City of Long Beach revised the zoning regulations pertaining to religious assembly uses in response to the Federally-enacted Religious Land Use and Institutionalized Persons Act (RLUIPA), which aims to protect religious individuals and institutions from unduly burdensome, unreasonable or discriminatory zoning, landmarking, and other land use regulations.

In March 2017, the City received an inquiry from the United States Department of Justice (USDOJ) about the zoning regulations pertaining to religious assembly uses, specifically noting that churches were not permitted in the Commercial-Neighborhood Pedestrian-Oriented (CNP) zone, but were permitted in other commercial zones. After a 4-month investigation, the USDOJ concluded that certain City land use regulations could be construed as unfair treatment of religious assembly uses when compared to non-religious assembly uses. The City's existing regulations allow for churches and places of worship to be conditionally permitted in most commercial zones (CNP excepted) with approval of an Administrative Use Permit. In PD-30 (Downtown Plan), a Minor Conditional Use Permit is required for a church use. The USDOJ commented that uses like fitness centers and theaters, which have physical characteristics that could resemble those of religious assembly uses, did not require the same review process. The City has initiated these amendments to the zoning regulations, with guidance and collaboration from the USDOJ, to provide assurance that religious assembly uses are treated in a consistent manner as

other similar land use regulations.

This work effort has also provided an opportunity to correct other inconsistencies in the Zoning Code as well as modernize some of the outdated provisions for non-religious assembly uses, such as fitness centers and theaters. As the nature of these assembly uses has changed in the past several decades. Updating these provisions will provide clarification and better respond to the needs of these business establishments while ensuring that they are appropriate to the zoning district in which they are located.

## **DISCUSSION**

The proposed Zoning Code Amendment generally consists of the following: 1) update regulations for religious assembly to be equal to or more flexible than other assembly uses; 2) classify different size assembly uses to be permitted, conditionally permitted, or not permitted in various zoning districts; 3) update development standards for religious assembly uses; and 4) provide new definitions to ensure that land uses are categorized properly. 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.

The proposed Zoning Code Amendments primarily pertain to "assembly" uses. The term "assembly use" generally refers to spaces where people can gather, as opposed to spaces where people go to use apparatus. For example, a retail store has apparatus (shelves and racks of merchandise, displays, cashier and service counters, etc) that are used by people. Restaurants have tables, booths, chairs, counters, kitchen areas that are used by people. However, fitness studios, meeting spaces, dance halls, theaters, and worship spaces are primarily used for the gathering of people, with seats being the only apparatus, if any. Therefore, development regulations must account for a higher intensity of people and considerations such as emergency building exiting, parking regulations, and land use compatibility to ensure minimal impacts to surrounding uses.

### **Definitions**

To classify assembly uses, staff proposes inclusion of new definitions for assembly uses. These definitions encompass religious assembly uses in non-religious uses, so that they are inherently treated equally. The term "religious assembly uses" will encompass places of worship for all religious denominations equality. Lastly, staff proposes inclusion of definitions for commonly used terms, such as "public library" and "fitness center" to ensure that they are not classified as assembly uses.

### **Zoning and Review Processes for Assembly Uses**

Zoning districts allow a certain intensity of development, at a certain scale for the physical characteristics of the area. These characteristics are described in the purpose and intent of the zone. Current City regulations subject assembly uses of varying sizes to the same regulations in small-scale, pedestrian-oriented zoning districts and in larger scale automobile-oriented districts. The inability to distinguish between intensity of a proposed

# CHAIR AND PLANNING COMMISSIONERS

September 20, 2018

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use and the intensity intended for the zone hinders the City's basic fundamental responsibility to ensure land use compatibility. The existing descriptions of some zoning districts are somewhat convoluted and not clear, creating confusion when implementing uses. Therefore, staff proposes to clarify the definitions of the Neighborhood Commercial Pedestrian-Oriented (CNP) and Community Commercial – Pedestrian Oriented (CCP) zones to properly reflect a pedestrian-oriented environment.

To encourage uses to site in appropriately scaled locations, staff proposes a tiered system whereby low-intensity uses in small-scale neighborhoods are permitted by right, those that may be permitted with additional conditions of approval are subject to discretionary review, and high-intensity uses in low-intensity zoning districts are prohibited. These standards are applied to Religious Assembly Uses, Fitness Facilities, and Live/Movie Theaters.

## Assembly Uses as Accessory Spaces

The USDOJ expressed concern that meeting spaces, such as the community room in the Michelle Obama Library, constitute assembly uses that are not subject to a Use Permit like a religious assembly uses. Staff clarified that in those cases, the use of an accessory meeting/assembly space is common in facilities like libraries, hospitals (chapels, for example), and even office spaces. To eliminate this confusion, staff proposes to allow assembly spaces to be permitted by right when they are in conjunction with another primary use and are less than 25% of the total Gross Floor Area of the primary use. This would allow for the inclusion of accessory assembly spaces in a primary use without triggering a requirement for a discretionary approval.

## PD-30 (Downtown Plan)

The proposed revisions include a provision that allows religious assembly uses in the PD-30 (Downtown Plan) area by right. The reason for this is that fitness facilities and live theaters are currently permitted by-right in the Downtown Plan, which religious assembly uses require a Minor Conditional Use Permit. This would eliminate the discrepancy and create an equal process for all three uses. Note that this provision does not apply to the Downtown Neighborhood Overlay Area, as those are residential area and all three above-mentioned uses require a Minor Conditional Use Permit.

| Table 1 – Proposed Revised Land Use Regulations   |              |         |         |           |         |        |          |        |       |  |
|---|--------------|---------|---------|-----------|---------|--------|----------|--------|-------|--|
| Uses  | Neighborhood |         |         | Community |         |        | Regional |        | Other | Additional Regulations                                   |
|   | CNP          | CNA     | CNR     | CCA       | CCP     | CCR    | CCN      | CHW    | CS    |  |
| Live or movie theater (w/100 fixed seats or less)   | AP<br>Y      | AP<br>Y | AP<br>Y | AP        | AP<br>Y | AP     | AP       | Y      | N     | For theaters w/more than 100 seats, see "Movie theater". |
| <del>Live or movie theater</del> (or live theater or live theater w/100+ seats w/more than 100 fixed seats) | N<br>AP      | N<br>AP | N<br>AP | €<br>Y    | €<br>AP | €<br>Y | €<br>Y   | €<br>Y | N     |  |



| Table 1 – Proposed Revised Land Use Regulations   |                      |                       |                       |                       |                       |                       |                       |                       |          |   |
|---|----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|----------|---|
| Uses  | Neighborhood         |                       |                       | Community             |                       |                       | Regional              |                       | Other    | Additional Regulations  |
|   | CNP                  | CNA                   | CNR                   | CCA                   | CCP                   | CCR                   | CCN                   | CHW                   | CS       |   |
| <u>Assembly Uses (Accessory Only &lt; 25% of GFA)</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>Accessory assembly uses shall comply with applicable regulations for assembly uses, such as parking and building code requirements</u>   |
| <u>Church or temple Religious assembly uses with 1) up to 2,500 sq. ft. of GFA and 2) 100 or fewer occupants</u>                    | <u>N</u><br><u>Y</u> | <u>AP</u><br><u>Y</u> | <u>AP</u><br><u>Y</u> | <u>AP</u><br><u>Y</u> | <u>AP</u><br><u>Y</u> | <u>AP</u><br><u>Y</u> | <u>AP</u><br><u>Y</u> | <u>AP</u><br><u>Y</u> | <u>N</u> | <u>See Section 21.45.125</u><br><br><u>Religious Assembly Uses shall be permitted (Y) in the PD-30 Downtown Plan Area (excluding Neighborhood Overlay), subject to Section 21.45.125.</u> |
| <u>Church or temple Religious assembly uses with 1) between 2,501 sq. ft. and 25,000 sq. ft. GFA, or 2) more than 100 occupants</u> | <u>AP</u>            | <u>AP</u>             | <u>AP</u>             | <u>Y</u>              | <u>AP</u>             | <u>Y</u>              | <u>Y</u>              | <u>Y</u>              | <u>N</u> |   |
| <u>Religious assembly uses with over 25,000 square feet of GFA</u>  | <u>N</u>             | <u>N</u>              | <u>N</u>              | <u>C</u>              | <u>N</u>              | <u>C</u>              | <u>C</u>              | <u>C</u>              | <u>N</u> |   |
| <u>Fitness Facility Fitness center/health club, dance/karate studio, fortunetelling up to 2,500 sq. ft. GFA</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 21.52.232</u><br><br><u>Limited to 5,000 2,500 square feet in neighborhood zones.</u>  |
| <u>Fitness center/health club, dance/karate studio over Fitness Facility between 2,501 to 25,000 sq. ft. of GFA</u>                 | <u>AP</u>            | <u>AP</u>             | <u>AP</u>             | <u>Y</u>              | <u>AP</u>             | <u>Y</u>              | <u>Y</u>              | <u>Y</u>              | <u>N</u> |   |
| <u>Fitness center/health club, dance/karate studio w. Fitness Facility over 25,000 sq. ft. GFA</u>                                  | <u>N</u>             | <u>N</u>              | <u>N</u>              | <u>C</u>              | <u>N</u>              | <u>C</u>              | <u>C</u>              | <u>C</u>              | <u>N</u> |   |

### *Assembly Uses Development Standards*

For certain circumstances, the proposed amendments would allow religious assembly uses by-right where a discretionary permit is currently required. By-right uses are not subject to a case-by-case review and would not be subject to site-specific conditions of approval. To ensure that these uses operate and are constructed in a manner that is harmonious and in scale with surrounding uses, staff proposes to update the existing development standards to incorporate buffers to residential areas, setbacks for uses from residential areas, while carrying over other existing development code standards. Note that these standards are primarily geared towards maintaining the quality of life for residential neighborhoods that might be near an assembly use. The updates also include an administrative process for religious assembly uses to seek relief from development standards, under the provisions of RLUIPA.

A complete set of the proposed changes to the Zoning Code are included in a "red-lined" format as Exhibit A to this report. The USDOJ has reviewed the draft language and has indicated that this approach addresses their concerns regarding consistency with similar assembly uses.

**PUBLIC HEARING NOTICE**

Notice of this public hearing was published in the Long Beach Press-Telegram on September 6, 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.

**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 July 2 and August 1, 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 B – Negative Declaration ND 01-18).

Respectfully submitted,



CARRIE TAI, AICP  
CURRENT PLANNING OFFICER



CHRISTOPHER KOONTZ, AICP  
PLANNING BUREAU MANAGER



LINDA F. TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

LFT:CK:ct

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

Section 21.15, Definitions, of the Long Beach Municipal Code is amended in part as follows:

**(NEW) – Assembly use.**

“Assembly use” means any facility for public or private meetings or gatherings including community centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations and other uses that are classified as assembly use under the California Building Code. This definition includes related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. This definition does not include gymnasiums or other sports facilities, convention centers, or facilities such as day care centers and schools that are separately defined and regulated.

**(NEW) Community assembly.**

“Community assembly” means a facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This definition includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, cultural facilities or facilities such as day care centers and schools that are separately classified and regulated.

**(NEW) Cultural facility.**

“Cultural facility” means a facility engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This definition includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. Facilities may include space for classes or lectures. It does not include schools or institutions of higher education providing curricula of a general nature or facilities for assembly uses.

**(REPEAL) 21.15.510 – Church**

~~“Church” means an institutional land use providing facilities for worship or the assemblage of the public for worship. Accessory uses include personal counseling and education in subjects relating to personal life and also the building or buildings where such activities take place. This definition includes cathedral, mosque, shrine, synagogue or temple, and other religious worship places.~~

**(AMEND) 21.15.590 - Communal housing.**

“Communal housing” means housing for nonfamily groups with common kitchen and dining facilities but without medical, psychiatric or other care. Communal housing includes boarding house, lodging house, dormitory, fraternity house, commune, and religious home. Communal housing does not

include handicapped or senior citizen housing, residential care facility, or convalescent hospital or parsonage as defined by this Code. (Ord. C-6533 § 1 (part), 1988)

**(NEW) 21.15.1054 – Fitness Facility.**

"Fitness Facility" means a primarily indoor establishment, which may include weight training facilities; swimming or exercise pool; sport courts (basketball, etc.); exercise, yoga, and martial arts classes; sauna, spa or hot tub facilities; and similar activities that are primarily conducted indoors. Fitness Facilities may include locker rooms, snack bars, and childcare for patrons, incidental offices and storage space.

**(AMEND) 21.15.1470 - Institutional use.**

"Institutional use" means a category of land use characterized by emphasis upon educational, ~~religious~~ cultural, or public service activities whether for profit or of a nonprofit nature and/or by facilities for public assemblage. (Ord. C-6533 § 1 (part), 1988)

**(AMEND) 21.15.2005 - Parsonage.**

"Parsonage" means an accessory residential use on the same property and occupied by ~~for~~ employees of a church or other religious assembly or institutional use necessary to who provide spiritual guidance to members. (Ord. C-6895 § 29, 1991)

**(NEW) 21.15.1574 – Public Library**

"Public Library" means a nonprofit library maintained for public use and usually supported in whole or in part by local taxation. A library is a building or portion thereof where written, audio, visual, and other media are kept in some convenient order for use, but generally not for sale.

**(NEW) 21.15.2273 -Religious assembly.**

"Religious assembly is a type of community assembly use where a building or space used primarily for persons to conduct worship or other religious ceremonies including, but not limited to, church, cathedral, mosque, shrine, synagogue or temple, and other religious worship places, facilities for religious instruction, incidental office, storage, and kitchen facilities. This definition does not include childcare facilities, schools (kindergarten through 12<sup>th</sup> grade), gymnasiums or other sports facilities. (Ord. C-6533 § 1 (part), 1988)

**(AMEND) 21.15.2810 – Special group residence.**

"Special group residence" includes, but is not limited to, fraternity and sorority houses, college dormitories, residential care facility, convalescent hospitals, senior citizen housing, handicapped housing, halfway houses, military barracks and religious homes. Special group residence does not include group homes or parsonage as defined by this Code.

Section 21.25.502 - Applicability, of the Long Beach Municipal Code is amended in part as follows:

A. **Standard.** The following projects shall require site plan review:

1. **Residential.** The following residential projects require site plan review:
  - a. Five (5) or more units as one (1) project. This includes both new construction, as well as additions or adaptive reuse projects. This includes side by side projects by the same applicant where the total of new plus existing units equals five (5) or more;
  - b. Construction of a new dwelling unit or an addition greater than four hundred fifty (450) square feet in size to an existing dwelling, located on a lot less than twenty-seven feet (27') in width in the R-1-N, R-1-M, R-2-N, and R-2-A districts;
  - c. Any project proposing to utilize the incentive program established for very low and low income households; and
  - d. Any residential project proposing to utilize a wing wall.
2. **Commercial.** The following commercial projects require site plan review:
  - a. New buildings of one thousand (1,000) square feet or more;
  - b. Additions of one thousand (1,000) square feet or more to an existing commercial building. However, an addition of up to five thousand (5,000) square feet may be permitted without site plan review if the addition is less than twenty-five percent (25%) of the floor area of the existing building and is not visible from a public way;
  - c. Exterior remodeling of a building where the affected area consists of fifty feet (50') or more of building frontage in the CNA, CNP and CNR districts;
  - d. Commercial storage uses; and
  - e. Attached/roof-mounted cellular and personal communication services.
3. **Industrial or public assembly use.** Industrial or public assembly use projects with five thousand (5,000) square feet or more of floor area of new construction, except those located in the IP (Port) zoning district. Projects located in the IP zone shall be exempt from site plan review, except those projects which are located on a major arterial as defined by the ~~transportation~~ Mobility Element of the General Plan.
4. **Adaptive Reuse.** Projects involving the reuse of existing spaces, structures or buildings as allowed under California Health and Safety Code Section 17958.11 for joint living and work quarters (live-work) or as allowed in LBMC Chapter 18.63, and subject to the Special Development Standards in LBMC Section 21.45.500.
5. **Project on City land.** All new construction projects with building floor area of five hundred (500) square feet or greater except roadway and utility maintenance or improvements.
6. **Sign standards waiver requests.** The City recognizes the visual and aesthetic importance that signage has on a development. Not only does signage identify the tenants of a particular space but it helps define and shape the unique architectural character and identity of a project. To this end, this sign standards waiver section has been introduced. The intent of this provision is to allow a greater amount of creativity and flexibility in the creation, design, and application of signage on developments beyond the established sign standards. The following sign projects shall require site plan review:
  - a. Individual sign review requests for waiver of established sign standards;
  - b. Sign programs as defined in Subsection 21.44.035.B; and

c. Changeable copy signs.

7. **Project on City land in the coastal zone.** All projects involving five hundred (500) square feet or more of land or water area, except roadway and utility maintenance or improvement.
8. **Determination of nonconforming parking rights in area D of the coastal zone.** Requests for determination of nonconforming parking rights per Subsection 21.41.226.A.

B. **Conceptual.** The following projects shall also be required to apply for conceptual site plan review prior to filing for site plan review:

1. **Residential.** Residential projects of fifty (50) or more units;
2. **Commercial, industrial or public assembly.** Projects of fifty thousand (50,000) square feet or more of new construction;
3. **Project on City land.** Projects of one thousand (1,000) square feet or more of new construction.

Table 32-1, Uses in All Other Commercial Zoning Districts, in Section 21.32.130, Transition between old and new commercial zones, is amended as follows:

| <b>Table 32-1: Uses in All Other Commercial Zoning Districts</b>             |                     |            |            |                  |            |            |                 |            |              |  |
|--|---------------------|------------|------------|------------------|------------|------------|-----------------|------------|--------------|--|
| <i>Uses</i>  | <i>Neighborhood</i> |            |            | <i>Community</i> |            |            | <i>Regional</i> |            | <i>Other</i> | <i>Additional Regulations</i>  |
|  | <i>CNP</i>          | <i>CNA</i> | <i>CNR</i> | <i>CCA</i>       | <i>CCP</i> | <i>CCR</i> | <i>CCN</i>      | <i>CHW</i> | <i>CS</i>    |  |
| 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            |  |
| <b>Alcoholic Beverage Sales</b>  |                     |            |            |                  |            |            |                 |            |              | 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  |
| 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            |  |
| <b>Automobile (Vehicle) Uses</b>   |                     |            |            |                  |            |            |                 |            |              | 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            |  |

**Table 32-1: Uses in All Other Commercial Zoning Districts**

| Uses   | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations   |
|--|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|--|
|  | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |  |
| 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     |  |
| 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.       |
| <b>Business Office Support</b>                   |              |     |     |           |     |     |          |     |       |  |
| 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     |  |
| <b>Entertainment</b>                             |              |     |     |           |     |     |          |     |       |  |
| 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. |



**Table 32-1: Uses in All Other Commercial Zoning Districts**

| Uses  | Neighborhood |      |      | Community |      |     | Regional |     | Other | Additional Regulations  |
|---|--------------|------|------|-----------|------|-----|----------|-----|-------|---|
|   | CNP          | CNA  | CNR  | CCA       | CCP  | CCR | CCN      | CHW | CS    |   |
| Drive-in theater  | N            | N    | N    | N         | N    | N   | N        | N   | N     |   |
| Live or movie theater (w/100 fixed seats or less)   | AP Y         | AP Y | AP Y | AP        | AP Y | AP  | AP       | Y   | N     | For theaters w/more than 100 seats, see "Movie theater".  |
| Live or movie theater (or live theater or live theater w/100+ seats w/more than 100 fixed seats)                    | NAP          | NAP  | NAP  | CY        | CAP  | CY  | CY       | CY  | N     |   |
| Mock boxing or wrestling  | N            | N    | N    | N         | N    | N   | N        | Y   | N     | City council hearing is required for new and transferred business licenses.   |
| 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   | N     | See Section 21.52.203 (arcades) and Section 21.52.220.5 (computer arcades).   |
| <b>Financial Services</b>   |              |      |      |           |      |     |          |     |       |   |
| 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.<br>*This does not include car                     |

| Table 32-1: Uses in All Other Commercial Zoning Districts  |              |     |     |           |     |     |          |     |       |   |
|--|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|---|
| Uses   | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations  |
|  | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |   |
|  |              |     |     |           |     |     |          |     |       | 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   | N     |   |
| 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 listed  | N            | N   | N   | C         | C   | C   | C        | C   | N     |   |

| Table 32-1: Uses in All Other Commercial Zoning Districts  |              |           |           |           |           |          |          |          |          |  |
|--|--------------|-----------|-----------|-----------|-----------|----------|----------|----------|----------|--|
| Uses   | Neighborhood |           |           | Community |           |          | Regional |          | Other    | Additional Regulations   |
|  | CNP          | CNA       | CNR       | CCA       | CCP       | CCR      | CCN      | CHW      | CS       |  |
| <b><u>Institutional-Public and Semi-Public Institutional</u></b>   |              |           |           |           |           |          |          |          |          |  |
| Community Assembly Uses (Accessory Only < 25% of GFA)  | Y            | Y         | Y         | Y         | Y         | Y        | Y        | Y        | N        | Accessory assembly uses shall comply with applicable regulations for assembly uses, such as parking and building code requirements   |
| <u>Church or temple Religious assembly uses with 1) up to 2,500 sq. ft. of GFA and 2) 100 or fewer occupants</u> | Y            | Y         | Y         | Y         | Y         | Y        | Y        | Y        | N        | <u>See Section 21.45.125</u><br><br>Religious Assembly Uses shall be permitted (Y) in the PD-30 Downtown Plan Area (excluding Neighborhood Overlay), subject to Section 21.45.125. |
| <u>Church or temple Religious assembly uses with 1) between 2,501 sq. ft. and</u>                                | <u>AP</u>    | <u>AP</u> | <u>AP</u> | <u>Y</u>  | <u>AP</u> | <u>Y</u> | <u>Y</u> | <u>Y</u> | <u>N</u> |  |

**Table 32-1: Uses in All Other Commercial Zoning Districts**

[illegible]

**Table 32-1: Uses in All Other Commercial Zoning Districts**

| Uses  | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations  |
|---|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|---|
|   | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |   |
| Personal Services   |              |     |     |           |     |     |          |     |       |   |
| Basic personal services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, fortunetelling, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances or electronic equipment, bicycles, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding) | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     |   |
| Catering, party counseling (without trucks)   | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     | For catering with trucks, see industrial zones, table 33-1.   |
| <del>Fitness Facility</del> <del>Fitness center/health club, dance/karate studio, fortunetelling</del> up to 2,500 sq. ft. of GFA   | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     | Limited to <del>5,000</del> 2,500 square feet in neighborhood zones.  |
| <del>Fitness center/health club, dance/karate studio over Fitness Facility between 2,500</del> 501 to 25,000 sq. ft. of GFA,  | AP           | AP  | AP  | Y         | AP  | Y   | Y        | Y   | N     |   |
| <del>Fitness center/health club, dance/karate studio w. Fitness Facility over 25,000 sq. ft. of GFA</del>   | N            | N   | N   | C         | N   | C   | C        | C   | N     |   |
| 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  | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     | Section 21.52.239   |
| Laundry (commercial customers)  | N            | N   | N   | N         | N   | N   | N        | N   | N     | Permitted in industrial zones only.   |
| Massage Establishment   | A            | A   | A   | A         | A   | A   | A        | A   | A     | Accessory use for hotel over one hundred (100) rooms, a physician, chiropractor, health club, beauty salon, nail salon, and the like. |

**Table 32-1: Uses in All Other Commercial Zoning Districts**

[illegible]

**Table 32-1: Uses in All Other Commercial Zoning Districts**

| Uses  | Neighborhood |     |     | Community |     |     | Regional |     | Other | Additional Regulations  |
|---|--------------|-----|-----|-----------|-----|-----|----------|-----|-------|---|
|   | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |   |
| psychology, real estate, or tax preparation   |              |     |     |           |     |     |          |     |       |   |
| All professional offices not listed   | AP           | AP  | AP  | AP        | AP  | AP  | AP       | AP  | N     |   |
| <b>Residential Uses</b>   |              |     |     |           |     |     |          |     |       |   |
| 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     |   |
| 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.   |
| Restaurants And Ready-To-Eat Foods  | CNP          | CNA | CNR | CCA       | CCP | CCR | CCN      | CHW | CS    |   |
| Outdoor dining  | A            | A   | A   | A         | A   | A   | A        | A   | N     | A Coastal Permit and encroachment permit are required for all outdoor dining located on public right-of-way within the City's Coastal Zone. |
| Restaurants and ready-to-eat foods with drive-thru lanes                                  | N            | C   | N   | C         | C   | C   | C        | C   | N     | Special standards apply (see Section 21.45.130).  |
| Restaurant and ready-to-eat foods without drive-thru lanes                                | Y            | Y   | Y   | Y         | Y   | Y   | Y        | Y   | N     |   |
| Vending carts   | AP           | AP  | AP  | AP        | AP  | AP  | AP       | AP  | N     | Special standards apply (see Section 21.45.170).  |
| <b>Retail Services</b>  |              |     |     |           |     |     |          |     |       |   |
| 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,   |

**Table 32-1: Uses in All Other Commercial Zoning Districts**

[illegible]

| <i>Uses</i>  | <i>Neighborhood</i> |            |            | <i>Community</i> |            |   | <i>Regional</i> |            | <i>Other</i> | <i>Additional Regulations</i> |
|--|---------------------|------------|------------|------------------|------------|---|-----------------|------------|--------------|-------------------------------|
|  | <i>CNP</i>          | <i>CNA</i> | <i>CNR</i> | <i>CCA</i>       | <i>CCP</i> | <i>CCR</i>  | <i>CCN</i>      | <i>CHW</i> | <i>CS</i>    |                               |
| <b>Abbreviations:</b><br>Y = Yes (permitted use).<br>N = Not permitted.<br>C = Conditional use permit required. For special conditions, see Chapter 21.52.<br>A = Accessory use. For special development standards, see Chapter 21.51. |                     |            |            |                  |            |   |                 |            |              |                               |
|  |                     |            |            |                  |            | AP = Administrative use permit required. For special conditions, see Chapter 21.52.<br>T = Temporary use subject to provisions contained in Chapter 21.53.<br>IP = Interim park use permit required. For special conditions, see Chapter 21.52. |                 |            |              |                               |
| <b>Notes:</b><br>(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.  |                     |            |            |                  |            |   |                 |            |              |                               |

|   |  |  |
|---|--|--|
| <p><b>Abbreviations:</b></p> <p>Y = Yes (permitted use).</p> <p>N = Not permitted.</p> <p>C = Conditional use permit required. For special conditions, see Chapter 21.52.</p> <p>A = Accessory use. For special development standards, see Chapter 21.51.</p> |  | <p>AP = Administrative use permit required. For special conditions, see Chapter 21.52.</p> <p>T = Temporary use subject to provisions contained in Chapter 21.53.</p> <p>IP = Interim park use permit required. For special conditions, see Chapter 21.52.</p> |
|---|--|--|

**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.

(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.

- (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.



## Section 21.32.020, Districts established, is amended as follows:

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 includes neighborhood-serving centers and corridors that provides small scale, low-intensity uses to meet the daily retail and service needs of surrounding residents. Uses and the scale of development shall be compatible with surrounding residential neighborhoods ~~compatible uses~~ and shall be designed to promote pedestrian and bicycle access. 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 and encouraging pedestrian activity by locating with buildings located at the front setback along the primary street frontage 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 that serve an entire community, including those who arrive by automobile, and which may require buffering to ensure compatibility with adjacent residential neighborhoods. ~~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 intended to encourage pedestrian activity with ~~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.

Section 21.52.213, Churches and other places designed and intended primarily for religious worship, is repealed.

~~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)~~

## 21.52.219.8 - Community assembly uses is hereby added:

### 21.52.219.8 - Community assembly uses.

Community assembly uses shall be located, developed, and operated in compliance with the following standards:

A. In a residential zone:

1. The proposed use may consist only of an expansion of an existing facility on the site or on the abutting site; and
2. The site shall be limited to forty thousand (40,000) square feet in size;
3. A long-range development plan consistent with the requirements of Section 21.34.020 shall be submitted for Planning Commission review and approval for any new or expanded use on any site larger than 40,000 square feet. New construction and additions with 5,000 square feet of floor area or more must be consistent with the long-range plan;

B. Any proposed addition or new construction shall conform to the development standards required for principal uses within the district.

C. Any new construction or additions with 5,000 square feet of floor area or more shall be subject to site plan review pursuant to Chapter 21.25, Division V;

D. A buffer at least 20 feet in width shall be provided adjacent to the boundary of any residential zone or property line of any residential use. This buffer area may be used for parking or landscaping but shall not be used for structures or outside activities. The minimum buffer requirement may be reduced subject to the review and approval of a Conditional Use Permit pursuant to Chapter 21.25, Division II, as long as the reduced buffer maintains the minimum setback requirement of the district in which the facility is located. Parking areas shall be screened consistent with the requirements of Chapter 21.42.

E. Outdoor areas used for recreation, meetings, services or other activities involving groups of persons shall be at least 50 feet from the boundary of any residential zone or property line of any residential use.

F. Parking shall be provided in accordance with Chapter 21.41.

G. To ensure compliance with the Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), the Planning Commission or the Zoning Administrator shall have the authority to grant exceptions and waivers to the requirements of this Code when necessary to accommodate religious assembly uses.

1. A request for an exception or waiver shall be submitted and processed in the same manner as an application for an Administrative Use Permit consistent with the requirements of Chapter 21.25, Division IV, Administrative Use Permits.
2. If necessary to reach a determination on the request for exception or waiver, the Zoning Administrator may request further information from the applicant, specifying in detail what information is required.
3. Findings required. The following findings must be analyzed, made and adopted before any action is taken to approve or deny a request for a modification or waiver and must be incorporated into the record of the proceeding relating to such approval or denial:

- a. The requested exception or waiver will not impose an undue financial or administrative burden on the City.
  - b. The requested exception or waiver will not require a fundamental alteration of the zoning or building laws, policies and/or procedures of the City.
  - c. There are no alternatives to the requested waiver or modification that could provide an equivalent level of function related to religious worship with less potential detriment to surrounding owners and occupants or to the general public.
  - d. That the conditions imposed, if any, are necessary to further a compelling public interest and represent the least restrictive means of furthering that interest;
  - e. That denial of the requested exception or waiver would impose a substantial burden on religious worship or would conflict with any State or federal statute.
  - f. For religious assembly uses located in the coastal zone, a request for reasonable accommodation under this Section shall be approved by the City if it is consistent with all of the applicable provisions of this Division, and the certified Local Coastal Program. Where a request for a modification or waiver is not consistent with the certified Local Coastal Program, the City may waive compliance with an otherwise applicable provision of the Local Coastal Program and approve the request for reasonable accommodation if the City finds that the request is consistent, to the maximum extent feasible, with the certified Local Coastal Program.
4. Conditions of approval. In approving an exception or waiver to accommodate religious assembly use, the decision-maker may impose any conditions deemed necessary to:
  - a. Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City Council;
  - b. Achieve the general purposes of this Ordinance or the specific purposes of the zoning district in which the project is located;
  - c. Achieve the findings for an exception or waiver granted; or
  - d. Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the California Environmental Quality Act.
5. Exceptions or waivers approved pursuant to this section may be conditioned to provide for rescission or automatic expiration based on a change of occupancy or other relevant change in circumstance. To ensure this, the property owner shall record a covenant demonstration that the improvement with which the exception or waiver is associated shall be removed or modified to comply with City regulations at the expense of the property owner when said circumstance or occupancy changes.
6. Appeals. The applicant or any aggrieved party may appeal decisions pursuant to this section or any conditions or limitations imposed by the Zoning Administrator.
  - a. All appeals shall contain a statement of the grounds for the appeal.
  - b. Appeals shall be to the Planning Commission, in accordance with Division V of Chapter 21.21 – Administrative Procedures.



City of Long Beach  
Religious Assembly Uses  
Zoning Code Amendment

NEGATIVE DECLARATION

ND 02-18

*Prepared by:*

**City of Long Beach**  
Department of Development Services  
Planning Bureau

## INITIAL STUDY

**Project Title:**

City of Long Beach Religious Assembly Uses Zoning Code Amendment

**Lead Agency name and address:**

City of Long Beach  
333 W. Ocean Boulevard, 5<sup>th</sup> 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, 5<sup>th</sup> Floor  
Long Beach, CA 90802  
(562) 570-6411

**General Plan:**

The proposed Zoning Code Amendment would cover all General Plan Land Use Districts that apply to any zoning district, Specific Plan area, or Planned Development (PD) district in the City of Long Beach.

**Zoning:**

The proposed Zoning Code Amendment would cover all zoning districts and all Planned Development districts in the City of Long Beach.

**Project Description:**

The proposed Religious Assembly Uses Zoning Code Amendment (Project) would consist of the following changes to Title 21 of the Long Beach Municipal Code (Zoning Ordinance): 1) update regulations for religious assembly to be equal to or more flexible than other assembly uses; 2) classify different size assembly uses to be permitted, conditionally permitted, or not permitted in various zoning districts; 3) update development standards for religious assembly uses; and 4) provide new definitions to ensure that land uses are categorized properly.

**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 02-18 and approve the Zoning Code Amendment for the Conditional Use Permit Regulations Update Ordinance)

Long Beach City Council (adopt Negative Declaration 02-18 and approve the Zoning Code Amendment for 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.

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Carrie Tai  
Current Planning Officer

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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 was 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 Religious Assembly Uses Zoning Code Amendment (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 regulation of Religious Assembly Uses. 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 due to 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?**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input type="checkbox"/> Less Than Significant Impact | <input checked="" type="checkbox"/> No Impact |
|---|--|---|---|

All future developments and land use activities would be required to comply with all applicable regulations, including Long Beach Municipal Title 21(Long Beach Zoning Ordinance). 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?**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input type="checkbox"/> Less Than Significant Impact | <input checked="" type="checkbox"/> No Impact |
|---|--|---|---|

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

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input type="checkbox"/> Less Than Significant Impact | <input checked="" type="checkbox"/> 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?**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input type="checkbox"/> Less Than Significant Impact | <input checked="" type="checkbox"/> 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?**

- |   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input type="checkbox"/> Less Than<br>Significant<br>Impact | <input checked="" type="checkbox"/> 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?**

- |   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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)?**

- |   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> No Impact |
|---|--|--|------------------------------------|

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

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

- |   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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 regulation of Religious Assembly Uses. 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 (except for 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 dedicated 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 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?**

- |   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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 regulation of Religious Assembly Uses. 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?**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input type="checkbox"/> Less Than Significant Impact | <input checked="" type="checkbox"/> 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 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 near 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, most 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 the following changes to Title 21 of the Long Beach Municipal Code (Zoning Ordinance): 1) update regulations for religious assembly to be equal to or more flexible than other assembly uses; 2) classify different size assembly uses to be permitted, conditionally permitted, or not permitted in various zoning districts; 3) update development standards for religious assembly uses; and 4) provide new definitions to ensure that land uses are categorized properly. The Project would not directly or indirectly divide any established community as a result of regulating Religious Assembly Uses. 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, local coastal program, 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 community 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 community 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?**

- |   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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?**

- |   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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?**

|   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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?**

|   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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?**

|   |  |  |                                    |
|---|--|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> 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 near 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?**

|   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporation | <input type="checkbox"/> Less Than Significant Impact | <input checked="" type="checkbox"/> 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 regulation of Religious Assembly Uses. 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 Religious Assembly Uses 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

Since the Project is not intended to directly or indirectly induce population growth, 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

Since the Project is not intended to directly or indirectly induce population growth, the Project would not result in any significant increased demand for public school services or facilities.

**d. Parks?**

- |   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

Since the Project is not intended to directly or indirectly induce population growth, the Project would not generate any significant additional demand for provision of park services or facilities by the City.

**e. Other public facilities?**

- |   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input type="checkbox"/> Less Than<br>Significant<br>Impact | <input checked="" type="checkbox"/> 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?**

- |   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

The Project involves simplifying the City's Religious Assembly Uses 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?**

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> 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)?**

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

The Project involves simplifying the City's Religious Assembly Uses 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?**

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> 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?**

|   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input type="checkbox"/> Less Than<br>Significant<br>Impact | <input checked="" type="checkbox"/> 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?**

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> 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?**

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> 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?**

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> 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?**

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

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

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

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

|   |   |  |                                    |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially<br>Significant<br>Impact | <input type="checkbox"/> Less Than<br>Significant with<br>Mitigation<br>Incorporation | <input checked="" type="checkbox"/> Less Than<br>Significant<br>Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

For Sections XVIII.a. through g.: The Project involves simplifying the Religious Assembly Uses regulations 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 Religious Assembly Uses 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.