

FINDINGS

Omnibus Use Adjustment and Medical Zoning Code Amendment Application No. 2004-001 June 4, 2020

The Long Beach Municipal Code does not require specific findings for the adoption of a Zoning Code Amendment. The proposed Zoning Code Amendments, however, are consistent with state law and guidelines, consistent with other elements of the General Plan, will not adversely affect the character, livability or appropriate development of the City, and is in conformity with public necessity, convenience, general welfare, and good planning practice. The City of Long Beach makes these findings in support of its adoption of the Omnibus Use Adjustment and Medical - Zoning Code Amendments.

The Zoning Code Amendments are consistent with objectives, principles, and standards of the General Plan. The Zoning Code Amendments (ZCA) would not conflict with the City's General Plan, the 2010 Strategic Plan, local coastal program, or any other applicable land use plans and policies. The ZCA involves amendments to various sections of the zoning code to provide a more streamlined approval process for certain community-serving uses while still providing appropriate review and analysis. The ZCA is consistent with goals, policies and strategies in the existing Land Use Element (LUE), Housing Element (HE), and Mobility Element (ME) of the General Plan. The ZCA does not change physical development standards but rather changes the approval process for community-serving uses such as trade schools, repair shops and religious facilities and medical uses. As these projects undergo individual approval processes, including findings of General Plan consistency, those approvals through a different streamlined approval process forwards the construction of projects that are consistent with the General Plan.

The General Plan Land Use Element (LUE) includes implementation measure LU-M-15 to streamline permitting to help local businesses to establish and grow. LUE Measure LU-M-25 also supports flexible zoning standards to promote infill development, LU-M-44 promoting development incentives for health centers.

These zoning changes support good zoning practice and build upon existing studies. On February 3, 2020 the City Council received a specific memo regarding urgent care facilities, building upon an April 9, 2019 City Council request to explore incentives to expand Urgent Care within the City. These zoning code changes respond to this identified need and do so with zoning tools that provide incentives while upholding community standards and limiting impacts.

The Omnibus Zoning Code Amendments will not adversely affect the character, livability or appropriate development of the City, and is in conformity with public necessity convenience, general welfare, and good planning practice. As the City's current zoning code has not been substantively updated since 1989, there are many sections of the current code that maintain outdated standards, regulations, and references that affect quality of life in the City and inhibit good planning. The proposed amendments do not change development standards for physical development but rather

change the procedural processing of entitlements and other approvals. This change will respond to a community need for medical and other uses, as well as the need for repair uses associated with current levels of economic distress, and improve the City's economic resiliency. The change is consistent with good planning practice and furtherance of the public interest to promote development and investment that is consistent with the General Plan.

The Omnibus Zoning Code Amendments are consistent and compliant with the California Environmental Quality Act. No adverse environmental impacts are contemplated or expected of the proposed action. The proposed action modifies the approval process for certain uses within the City but does not result in an increase in overall development, development intensity, character or impacts. New development utilizing this code amendment is subject to its own individual review and is generally within the scope of what was analyzed in the previously certified Program Environmental Impact Report (EIR 03-16) prepared for the General Plan Land Use Element update, which found significant and unavoidable impacts related to air quality, global climate change, noise and transportation, and will not result in any new significant impacts. None of the conditions requiring a new subsequent or supplemental environmental impact report, as stated in Section 21166 of the Public Resources Code or in Sections 15162 or 15163 of the CEQA Guidelines, are present. The EIR is publicly available on the City's website at <http://www.longbeach.gov/lbds/planning/environmental/reports>. Public Resources Code Section 21099 specifically exempts parking from CEQA reviews in an urban context. Impacts of the component pieces of the code amendment are explained below:

Changes to Table 33-2 (Industrial Uses) to allow outdoor recreation, health clubs, job training and vocational schools through an Administrative Use Permit (AUP) where a Conditional Use Permit (CUP) was previously required – This change results in a different approval process shifting from one discretionary action (CUP) to another (AUP). The purpose of this change is to align the level of review with the proposed uses, allowing for a streamlined, staff Zoning Administrator review in lieu of consideration by the Planning Commission. The action remains subject to a full review, including environmental analysis, public hearing and possible appeals by the public. Outdoor recreation, health clubs, and training school require a CUP primarily because of the impact of surrounding industrial uses on them, not the new uses' impact on the environment. CEQA Guidelines 15061(b)(3) provide a common-sense exemption for these situations. Additionally, these developments generally consists of use of existing facilities (exempt under 15301), replacement or reconstruction of existing facilities (exempt under 15302), new construction of small structures (exempt under 15303) or a qualified in-fill project (exempt under 15332). The City of Long Beach is a built-out urban community with existing development controls and reviews to protect the physical environment.

Changes to Table 32-1 (Commercial Uses) to allow minor auto repair, motorcycle sales and repair, vehicle parts and tire store, religious assembly uses, industrial arts trade schools, and repair shops through an AUP where a CUP was previously required - This change is similar to the changes to Table 33-2. These uses required discretionary review before the change and will require discretionary review after. These uses are specially regulated due to the potential for noise, vehicle and pedestrian traffic spillover and other operational characteristics. These impacts will be evaluated in the AUP process and

appropriately conditioned by the Zoning Administrator. Additionally, the restrictions of the City's Noise Ordinance further guarantee that no significant impact to the environment will occur. Like the industrial uses, these developments generally consists of use of existing facilities (exempt under 15301), replacement or reconstruction of existing facilities (exempt under 15302), new construction of small structures (exempt under 15303) or a qualified in-fill project (exempt under 15332). The City of Long Beach is a built-out urban community with existing development controls and reviews to protect the physical environment.

Allowing religious assembly uses, hospitals and convalescent homes through a CUP in some zones where the use was previously not permitted and an AUP in other zones where a CUP was previously required – The purpose of this amendment is to allow flexibility in the provision of religious and medical uses. While these uses may not have been previously allowed under commercial zones, they were still able to develop through the zone-change process to the Institutional Zone. The proposed amendment will simplify the approval process and still provide discretionary review for all of these uses. The total development throughout the City will not change and will still be constrained by the City's General Plan and associated Program EIR. For the non-hospital uses, similar to uses discussed above, these developments generally consists of use of existing facilities (exempt under 15301), replacement or reconstruction of existing facilities (exempt under 15302), new construction of small structures (exempt under 15303) or a qualified in-fill project (exempt under 15332). The City of Long Beach is a built-out urban community with existing development controls and reviews to protect the physical environment.

For hospitals, the proposed zoning code amendments do not modify Municipal Code Section 21.34.020 requirements that assure that hospitals and other large facilities prepare a Long Range Development Plan which assures sufficient environmental review and contemplation of all land-use, social and physical impacts of the facility.

Expanding the description of professional services to fully include medical uses such as urgent care – this text change is intended to remove ambiguity from the zoning code and promote the development of urgent care and other medical uses that are needed to serve existing residents. These are not new uses to the City and physical impacts on the environment are not expected to change from the baseline.

Amending table 41-1C to reduce parking requirements for medical uses - this change from requiring parking at 5/1000 to 4/1000 for medical uses is intended to better align parking requirements with likely parking demand. This change is also intended to ease the ability to open needed urgent care and medical services through the change of use of vacant or under-used buildings. This results in positive environmental outcomes through the use of existing structures (as exempt under 15302). Public Resources Code Section 21099 specifically exempts parking from CEQA reviews in an urban context.