

FINDINGS

Micro-Unit Pilot Program Zoning Code Amendment (ZCA) Application No. 2003-11 (ZCA20-005) September 3, 2020

The Long Beach Municipal Code (LBMC) does not require specific findings for the adoption of a Zoning Code Amendment. The proposed Zoning Code Amendment, however, is consistent with state law and guidelines and applicable elements of the City's 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 proposed Micro-Unit Pilot Program - Zoning Code Amendment.

The Zoning Code Amendment is consistent with objectives, principles, and standards of the General Plan. The Zoning Code Amendment (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 establishing a pilot program to allow up to 500 smaller dwelling units – known as “micro-units”- in areas of the City that allow higher density, multifamily residential uses (Downtown (PD-30) and Midtown (SP-1)), subject to development standards and the review process outlined in the pilot program. 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 that govern the overall building envelope allowed, such as setbacks, Floor Area Ratio (FAR), and max allowable height of buildings but rather allows smaller unit sizes than typically allowed by applicable zones and exempts “micro-unit projects” from the minimum unit size and unit mix requirements of the underlying zoning. The proposed micro-unit pilot project areas are the Downtown and Midtown areas governed by the PD-30 and SP-1 zoning, respectively.

The General Plan Land Use Element (LUE) includes implementation measure LU-M-25 to amend the Zoning Regulations to include flexible standards targeted for infill development. LUE Measure LU-M-26 also supports amendment of Title 21 of the Municipal Code to allow higher density development and new infill opportunities. The proposed ZCA is intended to help make progress toward Goal #4 in the Housing Element (HE), which is to provide increased opportunities for the construction of high quality housing. Specifically, the ZCA will implement Policy 4.2, which encourages a balance of rental and homeownership opportunities, including high quality apartments, townhomes, condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community...; Policy 4.5, which encourages residential development along transit corridors, in the downtown and close to employment, transportation and activity centers; and encourage infill and mixed-use developments in designated districts. Lastly, the ZCA is consistent with principles contained in the Mobility Element that support “complete neighborhoods” in which daily destinations are within walkable or bikeable distance (ME, p. 7).

This proposed ZCA supports planning and zoning best practices, builds upon existing studies, and provides another strategy to facilitate housing production to address the

housing crisis. On February 3, 2020, the City Council received a specific memo regarding micro-units, building upon policy recommendations adopted by City Council on May 2, 2017 that were prepared by the Affordable and Workforce Housing Study Group, appointed by the Mayor, to address the affordable housing crisis in 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 proposed Zoning Code Amendment 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 would allow flexibility with regard to certain standards that currently present a barrier to allowing smaller dwelling units that can fulfill an important housing market need. The proposed regulations tailor the underlying zoning to remove regulatory barriers to micro-units, while still requiring adherence to setback, FAR, and height requirements of the underlying zoning in order to maintain current building form regulations. Micro-unit projects would be subject to the Site Plan Review process to ensure compatibility with the surrounding neighborhood. This change will respond to a community need for affordable housing and a diverse housing stock. The change is consistent with good planning practice and furthers the public interest to promote development and investment that is consistent with the General Plan.

The proposed Zoning Code Amendment is consistent and compliant with the California Environmental Quality Act. No adverse environmental impacts are expected as a result of the proposed action. The proposed action modifies certain development standards to allow micro-units in limited areas of the City where the underlying zoning already permits higher density, multifamily residential uses. The proposed ordinance does not change the height, intensity of land use, or allowable land uses currently permitted by the underlying planned development district zoning and therefore does not result in an increase in overall development nor impact the scale or character of affected areas. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the Zoning Code Amendment is exempt from CEQA under Section 15305 (Minor Alterations to Land Use Limitations) and Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and none of the exceptions in Section 15300.2 apply. Section 15305 exempts projects that consist of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. The properties affected by this ZCA have an average slope of less than 20%.

The ZCA is further exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15061(b)(3) (Common Sense Exemption), as it will not result directly or indirectly in significant environmental impacts. The Zoning Code Amendment does not result in any physical changes in the environment because it is limited to amendment of the Zoning Code to allow a maximum of 500 micro-units in PD-30 and SP-1, where residential uses are currently permitted, as part of a micro-unit pilot program. Micro-unit projects will still be subject to pertinent height, setback, and Floor Area Ratio (FAR) requirements of the underlying zoning, and future projects seeking

approval subsequent to this Zoning Code Amendment will be subject to individual environmental review, as required by CEQA.