



## Legislation Details (With Text)

<b>File #:</b>	20-1109	<b>Version:</b>	2	<b>Name:</b>	DS - UPLAN Zones Zone Code Amendment
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	10/19/2020	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	11/17/2020	<b>Final action:</b>		<b>Final action:</b>	12/8/2020
<b>Title:</b>	Recommendation to declare ordinance amending the Long Beach Municipal Code by adding title 22 (UPLAN Zoning Code) which adds new zoning districts and regulations to implement the 2019 long beach general plan land use element update and adoption, read and adopted as read. (Citywide)				
<b>Sponsors:</b>	City Attorney				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 111720-H-49sr&att.pdf, 2. 111720-H-49 PowerPoint.pdf, 3. 111720-H-49 Correspondence.pdf, 4. 120820-ORD-60sr&att.pdf, 5. ORD-20-0046.pdf				

Date	Ver.	Action By	Action	Result
12/8/2020	2	City Council	approve recommendation and adopt	Pass
11/17/2020	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding title 22 (UPLAN Zoning Code) which adds new zoning districts and regulations to implement the 2019 long beach general plan land use element update and adoption, read and adopted as read. (Citywide)

The proposed project involves three key components: (1) the establishment of a new Title 22 (Attachment A - Updated Zoning Code) of the Long Beach Municipal Code (LBMC) that will facilitate a phased update of the City's Zoning Code; (2) the establishment of 12 new citywide zoning districts that will implement the recently adopted General Plan Land Use Element Update and the Urban Design Element; and, (3) the rezoning of select properties on major corridors in North Long Beach from their existing zoning to the proposed new zoning districts.

### Project Summary

In 2017, the Development Services Department began an Uptown Long Beach study in consultation with the Uptown Task Force. The Uptown Planning Land Use and Neighborhood Strategy (UPLAN) initiative evolved from the UPLAN Task Force convened by the City in 2017 to address longstanding structural issues related to economic investment, development, and connectivity in North Long Beach through comprehensive zoning and land use reforms. UPLAN has been developed as a two-phased approach to updating the zoning in North Long Beach to encourage pedestrian friendly mixed-use development, consistent with the recently adopted (2019) General Plan Land Use Element. The item before City Council today is Phase One (establishment of new zoning districts and rezoning of properties on Atlantic

Avenue and Artesia Boulevard) of Two (rezoning of other portions of the 90805-zip code) in implementing a new land use vision for Uptown (North) Long Beach.

In December 2019, the City Council adopted an update to the Land Use Element (LUE) and a new Urban Design Element (UDE), both of which are elements of the City's General Plan. The State requires that every City have an up-to-date General Plan to guide growth and future development. The LUE Update and UDE were adopted in 2019 to provide a blueprint for growth in the City through the horizon year 2040. Consistent with State law, the City is currently undertaking a program to rezone properties throughout the City in accordance with the adopted LUE and UDE beginning in North Long Beach to capitalize on the ongoing planning efforts in the area. The LUE Update established the concept of PlaceTypes to describe and designate land throughout Long Beach for the range of uses encompassed within in the City. There are 14 PlaceTypes ranging from "Founding Contemporary Neighborhood" for single family and low-density multifamily areas to "Neighborhood Serving Corridor (Low and Moderate)," which are applied to key mixed-use corridors, and the "Regional Serving Facility" PlaceType, which is used for the Port of Long Beach and the Long Beach Airport. Figure 1 illustrates the relationship among the LUE, PlaceTypes, Zoning Code, and the proposed new zoning districts.

#### Figure 1: General Plan/Zoning District Relationship

The City's Zoning Code (Title 21 of the LBMC), which has not been comprehensively updated since 1989, does not provide the full range of zoning districts and general development standards needed to implement the policies of the newly adopted LUE and UDE. As such, the City is adding a new Title 22 to the LBMC that will house new zones needed to implement the General Plan PlaceTypes. Title 22 is being established to facilitate a substantial update to the City's Zoning Code. The intention is to fully transition from Title 21, which is the currently established zoning chapter within the LBMC, to Title 22, which will eventually regulate zoning outside the Coastal Zone throughout Long Beach. During the transition period, all regulations contained within Title 22 apply to zones established in Title 22. In the instance where a regulation is not specified in Title 22, then applicable provisions of Title 21 of the LBMC will apply.

The proposed project establishes the first of these proposed new zones (12 new zones described below), which correspond to 3 of the 14 new PlaceTypes instituted by the LUE: the Neighborhood Serving Corridor-Moderate (NSC-M), Neighborhood Serving Corridor-Low (NSC-L), and Community Commercial (CC). These three PlaceTypes will be applicable citywide and contained in the proposed new Title 22 of the LBMC. New zoning districts to implement the other LUE PlaceTypes will occur in phases through a systematic, City-initiated geographic rezoning program.

Furthermore, the proposed project also involves rezoning properties within the North Long Beach area to one of the proposed new zones. The UPLAN process informed the development of the proposed new zoning districts and have been created with input from

North Long Beach stakeholders. The 12 proposed new zoning districts represent 2 versions of 6 primary zoning districts: 6 standard zones that are anticipated to implement the 3 PlaceTypes noted above citywide and fit the variety of contexts found throughout Long Beach, and a version of each of these zones that is tailored to the unique needs and conditions of North Long Beach, which are labeled as the “A-Series” zones. The heights, densities, and allowable uses permitted by these 12 new zones are consistent with those contemplated by the updated LUE for their respective PlaceTypes.

The proposed standard or “non-A series” zones will not be applied to any property at this time but may be applied in the future to properties within the aforementioned PlaceTypes throughout Long Beach, as part of an ongoing, systematic geographic rezoning program. This program is consistent with State law, which provides that a city must update its zoning ordinance to be consistent with its updated general plan within “a reasonable time” (see California Government Code Section 65860). In a city as large as Long Beach, it is not feasible to rezone every parcel at one time due to the size of the city, the variety of contexts, and the need to engage the public in the process. Therefore, the City will phase the development of new zones and the geographic rezoning of all properties in Long Beach until new zoning districts have been established for all the LUE PlaceTypes. Coastal areas will be phased in last after updates to the City’s Local Coastal Program and certification by the California Coastal Commission.

By establishing the 12 proposed new zoning districts citywide through this action, it is anticipated that individual property owners may seek to rezone their properties to one of the new zones in the interim time, before the City concludes its citywide rezoning program. In such circumstances, any request for a zone change by private application would be required to be rezoned to a corresponding zone of its respective PlaceType to be consistent with the LUE. If an applicant seeks a zone change to one of the proposed zones for a property located in a PlaceType that does not correspond to the proposed zones, then the action will additionally require a General Plan Amendment, which will require initiation by the City and thus will be reviewed and considered at the discretion of the City.

### Proposed Zoning Districts-Allowable Land Uses

The 12 proposed zoning districts were developed through outreach conducted as part of the North Long Beach “UPLAN” planning process. During this process, the City developed zoning districts that could be used citywide and also the tailored A-series zoning districts that have been crafted for the North Long Beach context and are the result of extensive community engagement with neighborhood stakeholders.

In addition to establishing the new zoning districts, the proposed project will amend the City’s zoning map to reflect the rezoning of select properties on major corridors in the North Long Beach area to one of six proposed A-Series zoning districts that will be applied to the areas shown on the attached Zone Change map (Attachment B). Following is a description of the new zoning districts and the objectives of each:

- Residential Mixed-Use 3 (RMU3 and RMU3-A) zones are residentially focused and permit a range of residential configurations with limited neighborhood-serving non-residential uses. Uses may be configured in a horizontal or vertical mixed-use format.
- Residential Mixed-Use 4 (RMU4 and RMU4-A) zones are residentially focused and permit higher density residential in areas where multifamily housing is currently the dominant use. These zones permit intensification of existing residential areas to increase housing opportunities and introduce neighborhood-serving uses in proximity to residents.
- Mixed-Use 1 (MU-1 and MU-1-A) zones provide for medium-scale, mixed-use development as a transition between residential areas and mixed-use nodes. These zones permit mixed residential and non-residential uses in a wide variety of configurations.
- Mixed-Use 2 (MU-2 and MU-2-A) zones provide for neighborhood activity centers in proximity to bus routes and multimodal corridors. These zones permit horizontal and vertical mixed-use appropriately scaled for adjacent neighborhoods.
- Mixed-Use 3 (MU-3 and MU-3-A) zones provide for the highest intensity neighborhood activity centers in proximity to bus routes and multimodal corridors. These zones permit horizontal and vertical mixed-use scaled for the highest intensity uses that benefit from transit proximity and pedestrian activity.
- Commercial 3 (C3 and C3-A) zones are non-residential zones that support the transition of larger format industrial/light industrial development to neighborhood services. These zones permit non-residential development, scaled to the neighborhood setting, with a range of services and employment intensities.

In establishing allowable uses within the proposed zoning districts, the goal is to transform the major corridors into safe, vibrant, and walkable mixed-use environments. The proposed mix of land uses is a major change from existing conditions along corridors that have experienced little investment in recent decades. With the exception of the C3 zone, all the proposed zones will allow for a mix of residential and commercial uses at varying scales, to increase the housing stock, bring retail and services closer to residents, activate vacant storefronts and improve the walkability and safety of the area's corridors. Additionally, in the A-Series zones specific uses that have been identified as highly desirable, health-serving uses by community members are promoted through flexible development standards and incentives; these uses include grocery stores; educational, community-serving, and institutional uses; and, commercial spaces for existing local businesses. Conversely, the proposed A-Series zones prohibit uses that have been deemed incompatible with the goals for the area, placing limitations on uses such as automobile-oriented and hospitality uses. Existing businesses will retain their legal, non-conforming status and will be permitted to remain, but new uses of this kind will not be permitted.

### Proposed Zoning Districts-Urban Design Standards

The proposed zones include development standards that are consistent with the UDE guidelines and foster well-designed buildings and compact, walkable neighborhoods that provide access to services, jobs and transit. Some examples of the innovative development standards include a requirement for a minimum building setback that is measured in most cases from the curb to the building facade rather than to the property line (as is customary),

which will allow the required setback to function as an expanded path of travel, remedying current conditions where there are narrow and inaccessible sidewalks, and improving the comfort and safety of pedestrians. This required building setback expands the physical space between the building and the sidewalk so that additional unencumbered space and possible pedestrian amenities can be accommodated over time.

Additionally, flexible open space and parking regulations and active ground floor requirements that are tailored to the physical constraints associated with shallow commercial lots found on older commercial corridors such as Atlantic Avenue and Artesia Boulevard, where the rezoning is proposed, will improve the function and visual quality of the corridors--ensuring that new developments are feasible while still providing amenities for current and future residents. The aim is to institute development standards that encourage new housing and mixed-use development, allow businesses to more easily locate in vacant storefronts and reuse existing buildings, and generally attract greater investment in North Long Beach. All projects that occur in the areas where zone changes are proposed are required to incrementally improve the public realm as well as meet high-quality standards for building design and materials. While North Long Beach has a unique set of neighborhoods within the larger City, much of the tailored zoning solutions will be very applicable to other areas of Long Beach during future planning updates.

### Proposed Zoning Districts-Parking Standards

The parking standards in the proposed zoning districts balance the need for parking with other stated community goals identified during the extensive UPLAN outreach process. Community members' input throughout the planning process largely focused on concerns about vacant storefronts and empty lots and the blight and associated safety concerns that result from those conditions. Residents additionally highlighted the need for community amenities and essential businesses such as grocery stores, affordable housing, and local jobs. The proposed regulations respond to these concerns, in part, by adjusting parking requirements to remove barriers to investment in the area in the form of new businesses and housing development. Parking is costly to provide, and high parking requirements can make housing and commercial spaces more expensive, which can lead to overcrowding and can deter new businesses. To facilitate investment in the area, the proposed standards aim to make it easier for new businesses, such as restaurants, fitness centers, and grocery stores, to locate in existing buildings without having to provide additional parking that cannot be accommodated on the site due to the built-out nature of the lots. The standards also make it less expensive to develop new housing of all types to address existing overcrowding and affordability concerns in North Long Beach. While the proposed parking regulations in some cases decrease the minimum parking requirements compared to the citywide zoning code, they aim to attract the kind of investment stakeholders desire for the area and are also more comparable to parking standards in similarly-sized and developed coastal California cities, such as Oakland and San Jose. The proposed parking standards have been developed with significant community engagement and technical research, including a parking demand study along both major corridors that were a focus of UPLAN Phase One. In staff's evaluation, the proposed parking standards achieve a balance of providing sufficient parking to meet existing

demand along major commercial corridors, while also providing flexibility for existing spaces to accommodate future uses and achieve community priorities for the areas.

### Summary

The proposed zoning districts, including their development, urban design, and parking standards, are intended to actualize the UPLAN Vision Statement:

We envision Uptown as an identifiable and inviting neighborhood, full of pride, with a range of community-serving destinations and hubs - a community that supports its residents and businesses, and creatively celebrates its existing and growing diversity. As a livable, full service neighborhood, people who live in Uptown can visit local businesses, rather than traveling outside to go to the bank, shop, and meet friends. Uptown will not be a place to pass through - it will be a place to live, work, play, and visit, with high-quality stores, public art, accessible housing, and appealing streets that are pleasant to walk along. North Long Beach will be a clean and green oasis, well-positioned and easily accessible to nearby transit, bikeways, and highways, as a gateway to the region.

Some of the most notable priorities encompassed in the Vision Statement that are promoted by the proposed zoning districts include active, walkable, and safe corridors, investment in and reuse of vacant buildings and parcels, neighborhood-serving uses that cater to existing community members, and healthy spaces that allow greater freedom for getting around, within and beyond North Long Beach. Though there are tradeoffs with all zoning regulations, flexible parking standards and other components of the proposed zoning districts help to achieve these stated goals.

## **THE UPLAN PROCESS AND PROJECT BACKGROUND**

UPLAN is a collaborative effort between the City and the community to create a new vision, economic strategies, active transportation improvements, and zoning recommendations to guide future development in North Long Beach. For the purposes of UPLAN, North Long Beach is defined as the 90805-zip code, roughly bounded by Del Amo Boulevard to the south and the City boundaries to the east, north, and west. The UPLAN initiative evolved from the UPLAN Task Force convened by the City in 2017 to address longstanding structural issues related to economic investment, development, and connectivity in North Long Beach through comprehensive zoning and land use reforms.

UPLAN has been developed as a two-phased approach to updating the zoning code for North Long Beach. The proposed rezoning of properties on Atlantic Avenue and Artesia Boulevard is the culmination of the first phase of the UPLAN process, which focused on the major corridors. The second phase, which is taking place currently, is focused on developing new zones for select properties in the remainder of the 90805-zip code that makes up North Long Beach. This planning process has been supported by grant funding: a \$250,000 Southern California Association of Governments (SCAG) Sustainability Planning Grant and a \$733,000 California Department of Transportation (Caltrans) Sustainable Transportation

Planning Grant that will conclude in February 2021. This phase builds upon Phase One and will develop new zoning districts for other major corridors in North Long Beach not already addressed through Phase One and industrially zoned areas. The six standard districts and six A-Series zoning districts presented today are the final result of the UPLAN Phase One process, and reflect a combination extensive community engagement, technical analysis and “groundtruthing” to develop progressive land use and parking regulations that address historical and contemporary issues in the area.

The UPLAN community engagement process has been a multifaceted approach over more than two years. Evolving out of the 2017 UPLAN Task Force, Phase One of the process implemented outreach strategies that met residents and community members where they were and provided multiple avenues for collaboration. An Advisory Committee (AC) comprised of Neighborhood Association leaders and other local stakeholders held regular meetings on different topics throughout the process, providing an opportunity for community members to give their input on both the technical studies and zoning proposals that were developed throughout Phase One of UPLAN. AC meetings were held at multiple locations and times and conducted in coordination with other organizations, such as Carmelitos Housing, to ensure all community members had an opportunity to participate. Along with the AC meetings, stakeholder interviews were held with experts in a variety of areas, including local small businesses, developers, architects, local activists, and fellow public agencies. Throughout the engagement process, an email listserv was established and the UPLAN website was developed and regularly updated with resources, news, and additional information about the initiative.

The City also pioneered new engagement activities to foster deeper input from community members, such as a collaboration with California State University Long Beach Master of Social Work students to conduct research on the area. City staff have established a partnership with Jordan High School students and teachers to expose students to the city planning process and garner youth input on UPLAN proposals and recommendations; this partnership has continued into Phase Two of UPLAN, becoming a core element of all outreach to ensure that input from youth is reflected in the in the policy and zoning recommendations. Additionally, a series of six walk audits were conducted with community members along key stretches of North Long Beach corridors to physically assess existing conditions and identify areas for improvements. Finally, the City held pop-up workshops and a demonstration project to show how activating a vacant storefront exemplifies the possible changes that could occur in the area as a result of the proposed zone changes. Together, these engagement activities provided a wide array of opportunities for involvement in UPLAN and helped to ensure that the proposed zoning recommendations are reflective of the broad community vision for North Long Beach.

## **CONSISTENCY WITH THE GENERAL PLAN AND OTHER RELEVANT PLANS AND POLICIES**

The proposed zoning districts are compatible with the general goals, policies and designations within the City’s General Plan LUE Update, which identifies the areas that are to

be rezoned as Neighborhood Serving Corridor-Low (NSC-L), Neighborhood Serving Corridor-Moderate (NSC-M), and Community Commercial (CC) PlaceTypes (LUE map grid 29, 31, and 32). For each PlaceType, corresponding zoning districts have been developed that are congruent with the allowable uses and development intensities. Multiple LUE goals are also advanced by the proposed zoning districts, including but not limited to healthy, active, and complete neighborhoods; increased economic development and shared economic prosperity; new housing construction and more varied housing types; improved environmental health through reduced Vehicle Miles Traveled (VMT); enhanced mobility choices; and, safe and secure living environments (LUE p. 4-6). The proposed zoning districts are also consistent with the overarching objective of the LUE to redirect and concentrate new development, in particular mixed-use development, in major centers and nodes, and along major corridors to accommodate higher density housing and increased commercial activity (LUE p.13-14, 27).

The proposed zoning districts would be established citywide and thus affect areas within the Coastal Zone; however, at this time, proposed zone changes are not being implemented in the Coastal Zone. The only areas that are proposed for City-initiated zone changes at this time are in North Long Beach, as shown in the attached Zone Change Map. At a later to be determined date, the City will adopt a future amendment to the Local Coastal Program to enable the newly created zones to be applied to the Coastal Zone. The proposed zone change areas do not abut a designated scenic route or highway, and do not contain significant mineral resources; therefore, the Conservation Element and Local Coastal Program are not impacted by the proposed project.

The proposed zoning districts and City-initiated zone changes are consistent with the General Plan and also with the findings laid out in LBMC Section 21.25.106 and articulated in Attachment C. Together, the comprehensive Program EIR and addendum satisfy the requirement that the proposed change will not adversely affect the character, livability, or appropriate development of the surrounding area. The main focus of the proposed zoning districts is to improve the quality of the built environment in the project area and that specific protections are in place to assure safety, livability and quality design, and to protect historic structures.

This matter was reviewed by Assistant City Attorney Michael J. Mais on October 21, 2020 and by Budget Analysis Officer Julissa José-Murray on October 14, 2020.

### Public Notice and Environmental Compliance

The required public hearing notice was provided in accordance with the LBMC. A public hearing notice was published in the Long Beach Press-Telegram on October 30, 2020. Due to the declared state of emergency, there was limited posting of the notice. Notices were not provided to City libraries (they are closed), notice posting was provided at City Hall. The public hearing notice was posted on the Department's website and distributed through the City's LinkLB e-mail blast system. No comments have been received as of the preparation of this report.



Pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City, as Lead Agency, prepared an addendum EIRA-02-20 (Attachment D) to a previously certified Program Environmental Impact Report (PEIR) EIR 03-16, State Clearinghouse No. 2015051054 prepared for the General Plan LUE Update and UDE. The EIR Addendum analyzed the proposed project in accordance with the PEIR and determined that the project will not result in any new significant impacts that exceed those analyzed in the PEIR. The PEIR found significant and unavoidable impacts related to air quality, global climate change, noise, and transportation. However, 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. Thus, the addendum was prepared pursuant to CEQA Guidelines Section 15164.

Pursuant to Section 21.25.103 of the Zoning Regulations, this request should be presented to the City Council within 60 days of the Planning Commission hearing, which took place on June 4, 2020. While the advisory 60-day period could not be met, the earliest possible City Council action is requested on November 17, 2020.

This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. While this action is intended to promote future economic activity, any projection of its impact would be speculative. Therefore, there is no fiscal or local job impact associated with this recommendation.

### **Approve recommendation.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY ADDING TITLE 22 (UPLAN ZONING CODE) WHICH ADDS NEW ZONING DISTRICTS AND REGULATIONS TO IMPLEMENT THE 2019 LONG BEACH GENERAL PLAN LAND USE ELEMENT UPDATE AND ADOPTION

OSCAR W. ORCI  
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APPROVED:

THOMAS B. MODICA  
CITY MANAGER