

**Attachment 1  
Planning Commission Staff Report  
of July 7, 2005**



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6088

July 7, 2005

CHAIRMAN AND PLANNING COMMISSIONERS  
City of Long Beach  
California

SUBJECT: Proposed Amendments to the Zoning Ordinance Regarding  
Expansion and Alteration of Residential Uses with Nonconforming  
Parking (Citywide)

LOCATION: Citywide

APPLICANT: City of Long Beach  
c/o Suzanne Frick, Director of Planning and Building  
333 W. Ocean Boulevard  
Long Beach, CA 90802

## RECOMMENDATION

Planning Commission recommend that the City Council adopt the amendments to the Zoning Ordinance.

## BACKGROUND

At the November 23, 2004 meeting, the City Council directed the Planning Commission to consider amendments to the Zoning Ordinance to address a development trend in the City, whereby a property owner will renovate an existing multi-unit residential building to provide additional bedrooms. The conversion typically occurs through reducing the size of living rooms or dining rooms, or by dividing existing bedrooms to create smaller rooms. In most cases, the conversions are occurring on sites with older properties that do not meet current density, parking, or open space requirements. This has the effect of exacerbating the parking problems already present in many of these areas.

On December 16, 2004, Staff proposed amendments to the Zoning Ordinance whereby interior alterations that created additional bedrooms in studio and one-bedroom units would require additional parking. In response to concerns raised by affordable housing advocates and developers, the Planning Commission determined that the issue required further study, and recommended that the City Council adopt a moratorium prohibiting interior alterations that create additional bedrooms in multi-family structures with

nonconforming parking. The City Council adopted the moratorium on February 1, 2005, and this prohibition remains in place until January 31, 2006 or until the Zoning Ordinance is amended. Staff was also directed to meet with housing advocates and the Apartment Owners Association to ensure that any amendments would avoid negative unintended consequences related to affordable housing.

Staff conducted three meetings with affordable housing advocates to discuss potential changes to the Zoning Ordinance. Using the input provided at these meetings, Staff drafted the proposed amendments.

### **PROPOSED AMENDMENTS**

The intent of the proposed amendments is to address the problems arising from interior alterations to create additional bedrooms, while balancing the concerns related to the provision of affordable housing. The proposed amendments (attached for your review) would apply to persons wishing to make additions or alterations to multi-family structures with a nonconforming number of parking spaces. Units below a certain size threshold would be required to add parking to help offset the impact of more bedrooms in a smaller space, while units that exceed the size threshold would be able to add an additional bedroom without providing additional parking.

In order to achieve consistency with the proposed regulations governing alteration of nonconforming uses, Staff is also recommending revision of the regulations governing expansion of nonconforming uses. Many cities prohibit expansion of nonconforming uses; historically, Long Beach prohibited such expansions. However, the City Council changed this policy in response to the significant rezoning that occurred in the early 1990s. This rezoning made a large number of properties nonconforming. The City Council felt that minor additions should be permitted to allow for additional bedrooms and bathrooms to accommodate increasing family sizes. Therefore, the expansion size was established as 450 square feet.

Staff believes that the proposed policy changes related to interior alterations require the issue of expansions of nonconforming properties to be addressed concurrently. Therefore, Staff is recommending a reduction in the allowable expansion on nonconforming properties from 450 square feet to 250 square feet, which will still allow for the addition of a bedroom and bathroom.

### **PUBLIC HEARING NOTICE**

In accordance with the Noticing Requirements of the Zoning Ordinance, a legal notice appeared in the Press Telegram newspaper on June 21, 2005. Notices were also sent to each of the nine City Council representatives, and to all public libraries. Notices were also posted at City Hall.

**ENVIRONMENTAL REVIEW**


The project has been deemed categorically exempt from further environmental review, pursuant to the Guidelines for Implementation of the California Environmental Quality Act. Categorical Exemption (CE 04-245) is attached for your review.

**IT IS RECOMMENDED THAT THE PLANNING COMMISSION:**

Recommend that the City Council adopt the amendments to the Zoning Ordinance.

Respectfully submitted,

SUZANNE FRICK  
DIRECTOR OF PLANNING AND BUILDING

By:   
DEREK BURNHAM  
PLANNER

Approved:   
CAROLYNE BIHN  
ZONING OFFICER

CB: db

Attachments:

1. Proposed Amendments
2. Categorical Exemption
3. January 4, 2005 City Council Letter
4. December 16, 2004 Staff Report
5. November 23, 2004 Council Letter

June 30, 2005

21.27.060 Expansion

C. Nonconforming Residential Uses.

1. Maximum Expansion. A nonconforming residential use (i.e., that exceeds the allowable density for the zone, or is located in a zone that does not permit residential uses) may expand up to ~~four hundred fifty (450)~~ **two hundred fifty (250)** square feet per unit.
2. Parking. Any expansion beyond ~~four hundred fifty (450)~~ **two hundred fifty (250)** square feet per site of cumulative addition shall require one additional conforming parking space for each additional ~~four hundred fifty (450)~~ **two hundred fifty (250)** square feet. For single-family dwellings outside the parking impacted areas, no additional parking shall be required on sites with driveways twenty feet (20') or more in length.
3. Development Standards. The expansion shall be consistent in style and materials with the existing building, and shall conform to the current development standards of the zone.

D. Conforming Residential Use with Nonconforming Parking. A residential use with nonconforming parking may be expanded as follows:

1. Demolition of Nonconforming Parking. Nonconforming parking demolished during remodeling or additions, where no new parking is required by Subsection 3, may be replaced with new parking of equal size or a more conforming size. The new parking shall provide for the best feasible turning radius. For the purposes of this Section "best feasible turning radius" means the most conforming turning radius that may be created by relocating the new parking on the lot up to the point in conflicts with the existing building.
2. Addition of New Dwelling Unit. The addition of new dwelling units on a lot shall require the provision of additional parking spaces for the new dwelling units as well as existing units if substandard in number of parking spaces in accordance with the standards for new construction.
3. Expansion of Existing Dwelling Unit. A residential use with nonconforming parking may be expanded by up to ~~four hundred fifty (450)~~ **two hundred fifty (250)** square feet after July 1, 1989, without providing additional parking. Expansion beyond ~~four hundred fifty (450)~~ **two hundred fifty**

(250) square feet per site of cumulative addition shall require one additional parking space. However, for single-family dwellings outside the parking impacted areas, no additional parking shall be required on sites with driveways twenty feet (20') or more in length.

**21.27.065 Interior Alteration to Multi-Family Residential Uses with Nonconforming Parking to Create Additional Bedrooms**

1. **Minimum Unit Size.** An interior alteration to create a bedroom within an existing residential use with a nonconforming number of parking spaces may be permitted without providing additional parking if the dwelling unit size after alteration meets or exceeds the minimum size set forth in Table 27-1.

**Table 27-1  
Minimum Unit Size After Alteration**

<b>Total Number of Bedrooms</b>	<b>Unit Size</b>
<b>1</b>	<b>450</b>
<b>2</b>	<b>750</b>
<b>3</b>	<b>900</b>
<b>4</b>	<b>1100</b>
<b>Each additional bedroom requires an additional 70 square feet of floor area.</b>	

2. **Parking.** If the dwelling unit size does not meet or exceed the minimum size set forth in Table 27-1, interior alteration to create an additional bedroom shall require one additional conforming parking space until the parking complies with the requirements of Chapter 21.41.



# CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

333 W. OCEAN BLVD. • LONG BEACH, CA 90802 • (562) 570-6194 FAX (562) 570-6068

January 4, 2005

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

SUBJECT: Interim Zoning Ordinance to Temporarily Prohibit the Alteration of Multi-Family Dwelling Units to Create Additional Bedrooms on Sites with Nonconforming Parking. (Citywide)

## DISCUSSION

At the November 23, 2004 meeting, the City Council directed the Planning Commission to consider amendments to the Zoning Ordinance to address the growing trend of remodeling the interior of existing multi-family residential units to create additional bedrooms. In many cases, these units are nonconforming with respect to parking, density, and usable open space, and creating additional bedrooms exacerbates these nonconformities. Due to the increasing prevalence of these interior remodels, the City Council directed that an amendment be returned within 60 days.

At the December 16, 2004 Planning Commission hearing, Planning staff indicated that 52 such remodels had occurred in the past year, with the frequency increasing toward the end of the year. In addition, Planning staff noted that nearly 40 percent of dwelling units in Long Beach have zero or one bedroom (Source: 2000 U.S. Census). Planning staff reiterated the negative effects that these conversions can have on a neighborhood, including overcrowding of units, parking problems, and the lack of usable open space.

To address this issue, Planning staff proposed amendments to the Nonconformities section of the Zoning Ordinance (Chapter 21.27), whereby creating additional bedrooms in zero or one-bedroom multi-family units will require additional parking. Sites developed with only one dwelling unit would be exempt from this amendment.

During the public hearing on the proposed amendments, the Planning Commission heard testimony from several persons asking that this item be continued for additional consideration of the impacts of the proposed amendments upon housing affordability. After considering this testimony, the Planning Commission determined that the issue requires further study, and voted to continue the item. However, given the prevalence of this trend, the large number of potential future remodels, and the negative effects these remodels have on the surrounding community, the Planning Commission recommended that the City

HONORABLE MAYOR ID CITY COUNCIL

January 4, 2005

Page 2

Council adopt an interim Zoning Ordinance to temporarily prohibit the alteration of zero- or one-bedroom multi-family units with a nonconforming number of parking spaces, where such alteration will create additional bedrooms and not provide additional parking. Sites developed with only one dwelling unit would be exempt from this interim Zoning Ordinance.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, Categorical Exemption 04-245 was prepared for the proposed amendment.

Assistant City Attorney Michael Mais reviewed this report on December 22, 2004.

TIMING CONSIDERATIONS

The effect of an affirmative vote on this agenda item would be to prohibit the processing of applications for alterations described in this report until an ordinance is prepared for City Council consideration. The Municipal Code requires that the interim Zoning Ordinance be returned to the City Council at its third meeting following such adoption.

FISCAL IMPACT

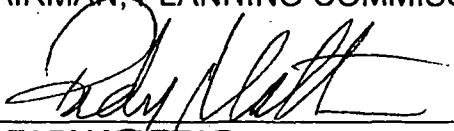
None.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Request the City Attorney to prepare an interim Zoning Ordinance pursuant to Chapter 21.50 for notice and placement on the City Council Agenda for hearing at its third meeting following such adoption, and direct the Planning Commission to commence a study regarding the adoption of a Zoning Ordinance related to the remodeling of the interior of existing multi-family residential units to create additional bedrooms.

Respectfully submitted,

MORT STULBARG  
CHAIRMAN, PLANNING COMMISSION

By:   
FADY MATTAR  
ACTING DIRECTOR OF PLANNING AND BUILDING

Attachment:  
Planning Commission Staff report dated December 16, 2004





# CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

December 16, 2004

CHAIRMAN AND PLANNING COMMISSIONERS  
City of Long Beach  
California

SUBJECT: Proposed Amendments to the Zoning Ordinance Regarding Parking Requirements for Expansion and Alteration of Residential Uses with Nonconforming Parking (Citywide)

LOCATION: Citywide

APPLICANT: City of Long Beach  
c/o Fady Mattar, Acting Director of Planning and Building  
333 W. Ocean Boulevard  
Long Beach, CA 90802

## RECOMMENDATION

Planning Commission recommend that the City Council adopt the amendments to the Zoning Ordinance.

## BACKGROUND

At the November 23, 2004 meeting, the City Council directed the Planning Commission to consider amendments to the Zoning Ordinance to address a development trend in the City, whereby a property owner will renovate an existing multi-unit residential building to provide additional bedrooms. The conversion typically occurs through reducing the size of living rooms or dining rooms, or by dividing existing bedrooms to create smaller rooms. In most cases, the conversions are occurring on sites with older properties that do not meet current density, parking, or open space requirements. This has the effect of exacerbating the parking problems already present in many of these areas. Several causes exist for this trend, but it appears that the intent of many property owners is to receive additional funding through the Section 8 housing program. The Housing Services Bureau is addressing the issues related to the Section 8 Housing Program.

Staff has evaluated this development trend, and determined that an appropriate response to this trend in terms of the Zoning Regulations is to amend the parking requirements for nonconforming residential uses under Chapter 21.27 of the Zoning Ordinance. The current

regulations for nonconforming residential uses require additional parking only for expansions of greater than 450 square feet. Additions of less than 450 square feet and interior alterations that provide additional bedrooms currently do not require additional parking.

The proposed amendments (attached for your review) will require additional parking for expansion or alteration of a zero- or one-bedroom unit that results in the creation of a new bedroom, while the requirement for additional parking for additions of greater than 450 square feet will also remain in place. Interior alteration of single-family homes will not require additional parking under the proposed amendments. Staff believes that these amendments are consistent with the intent of the Zoning Ordinance with respect to the parking requirements, as the additional parking provided is necessary in order to offset the increased parking demand.

### **PUBLIC HEARING NOTICE**

In accordance with the Noticing Requirements of the Zoning Ordinance, a legal notice appeared in the Press Telegram newspaper on December 2, 2004. Notices were also sent to each of the nine City Council representatives, and to all public libraries. Notices were also posted at City Hall.

### **ENVIRONMENTAL REVIEW**

The project has been deemed categorically exempt from further environmental review, pursuant to the Guidelines for Implementation of the California Environmental Quality Act. Categorical Exemption (CE 04-245) is attached for your review.

### **IT IS RECOMMENDED THAT THE PLANNING COMMISSION:**

Recommend that the City Council adopt the amendments to the Zoning Ordinance.

Respectfully submitted,

By:   
DEREK BURNHAM  
PLANNER

Approved:   
CAROLYNE BIHN  
ZONING ADMINISTRATOR

Chairman and Planning Commissioners  
Case No. 0411-20  
December 16, 2004  
Page 3

**Attachments:**

1. Proposed Amendments
2. Categorical Exemption

(Added text in **bold**)

21.27.060 Expansion **or Alteration**

C. Nonconforming Residential Uses.

1. Maximum Expansion. A nonconforming residential use (i.e., that exceeds the allowable density for the zone, or is located in a zone that does not permit residential uses) may expand up to four hundred fifty (450) square feet per unit.

2. Parking. ***This section applies to property with a nonconforming number of parking spaces.*** Any expansion beyond four hundred fifty (450) square feet per site of cumulative addition shall require one additional conforming parking space for each additional four hundred fifty (450) square feet, ***until the number of parking spaces complies with the requirements of Chapter 21.41. Furthermore, any expansion or interior alteration of a zero- or one-bedroom unit that results in the creation of new bedroom(s) shall require provision of one additional conforming parking space. However, for lots developed with a single-family dwelling, no additional parking shall be required for interior alterations.*** For single-family dwellings outside the parking impacted areas, no additional parking shall be required ***for additions*** on sites with driveways twenty feet (20') or more in length.

3. Development Standards. The expansion shall be consistent in style and materials with the existing building, and shall conform to the current development standards of the zone.

D. Conforming Residential Use With **a Nonconforming *Number of Parking Spaces***. A residential use with **a nonconforming *number of parking spaces*** may be expanded ***or altered*** as follows:

1. Demolition of Nonconforming Parking. Nonconforming parking demolished during remodeling or additions ***where no new parking is required by Subsection 3*** may be replaced with new parking of equal size or a more conforming size. The new parking shall provide for the best feasible turning radius. For the purposes of this Section "best feasible turning radius" means the most conforming turning radius that may be created by relocating the new parking on the lot up to the point in conflicts with the existing building.

2. Addition of New Dwelling Unit. The addition of new dwelling units on a lot shall require the provision of additional parking spaces for the new dwelling units as well as existing units if substandard in ***number of parking spaces*** in accordance with the standards for ***the number of parking spaces for new construction***.

3. Expansion ***or Alteration*** of Existing Dwelling Unit. A residential use with nonconforming parking may be expanded by up to four hundred fifty (450) square feet after July 1, 1989, without providing additional parking. ***However, any expansion or***

***alteration of a zero-bedroom or one-bedroom unit that results in the creation of new bedroom(s) shall require provision of one additional conforming parking space. Or, any expansion beyond four hundred fifty (450) square feet per site of cumulative addition shall require one additional parking space. However, for single-family dwellings outside the parking impacted areas, no additional parking shall be required on sites with driveways twenty feet (20') or more in length.***



# CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

333 West Ocean Boulevard • Long Beach, California 90802 • (562) 570-6194 FAX (562) 570-6068

November 23, 2004

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**SUBJECT: Report on Current Building Standards Related to Bedroom sizes and Possible Remedies to Address Habitable Bedroom Space in New and Renovated Buildings (Citywide)**

---

## DISCUSSION

It has come to the attention of several City Council offices and staff that a trend has developed to renovate existing multi-unit buildings to provide additional bedrooms within existing dwelling units. This conversion is typically accomplished by reducing the size of living rooms or dining rooms, or dividing existing bedrooms to create additional, typically small bedrooms. The trend may have several causes, but it appears that the intent of property owners is often to receive additional funding through the Section \* Housing Program. This trend is exacerbated by the fact that majority of these conversions are occurring to older housing stock that often are non-conforming relative to current on-site parking and open space requirements.

At their meeting of April 20, 2004, the City Council referred this item to the City Manager for a report back to the City Council on possible remedies that would address the implications of this trend. Community Development Department staff has prepared a related report to the Housing Authority that would address potential changes to the payment standards of the Section 8 Program. This program change would reduce the incentive to increase the number of bedrooms within existing dwellings by basing payment standards on both unit size (in square feet) as well as the number of bedrooms.

### **Building Code Standards**

With respect to Planning and Building standards related to bedroom sizes, staff has found that City's are precluded from establishing minimum sizes that are more restrictive from those that are established by state law. The California Building Standards Commission, along with various State agencies develops and publishes the California Building Code. State law mandates that all jurisdictions within the state adopt this code, including its provisions of for minimum bedroom size of 70 square feet.

State law will allow a jurisdiction to establish standards that are more restrictive than the California Building Code, provided the governing body of the jurisdiction makes

an expressed finding that the need for the change is "reasonably necessary because of climate, geology or topographical conditions". Therefore, to amend the size requirements for bedrooms, the City Council would need to make a finding that the amendment is necessary due to some local issue related to climate, geology or topography. Several California City's have faced legal challenges to local amendments to regulate more restrictive standards for bedroom standards. Staff does not believe that there is an adequate nexus between local climate, geology or topography related to bedroom size and recommends against an amendment to the minimum bedroom size.

### **Zoning Ordinance Amendments**

The City of Long Beach has the ability to adopt amendments to the Zoning Regulations found in Title 21 of the Municipal Code to address the character, livability or appropriate development of the City. With respect to the current trend, the potential impact of increasing the number of bedrooms within existing buildings and the increase in occupancy appears to be on parking and open space. The number of required parking spaces for existing versus new development is currently dealt with in two different ways. New housing development requires the provision of on-site parking as follows:

- Studio apartments require 1 parking space
- 1-bedroom units require 1 ½ parking spaces
- 2- bedroom or larger units require 2 parking spaces
- Guest parking is required (in most cases) at a rate of one space for every four units for projects consisting of four units or more

With respect to existing development, the existing number of on-site spaces must be maintained and interior renovations and small additions (less than 450 square feet per site) are permitted without the provision of additional parking.

Regarding on-site open space, the standard for new construction varies by zoning district. For example, in the standard single family residential district, 16% of the lot must be set aside for usable open space while the R-4-N multi-family district requires a minimum of 150 square per unit. With respect to existing buildings, additional open space is not required for interior renovations.

There are various options for amendments to parking and open space standards available for addressing the current trend, some of which would likely result in unintended consequences to new development or single-family homes. The one obvious "loophole" in the parking standards that directly addresses the ongoing conversion of apartment is that existing studio apartments and 1-bedroom units can currently be converted through interior renovation or minor addition to 2-bedroom (or larger) units without providing additional parking. Staff recommends that the Nonconformities section of the Zoning Regulations be amended to require that additional on-site parking be provided when interior alterations or minor additions to studio or 1-bedroom apartments are made that result in additional bedrooms. Further, staff recommends that this change apply to properties that are developed with three or more units.

HONORABLE MAYOR AND CITY COUNCIL  
November 23, 2004  
Page 2

Assistant City Attorney Mike Mais reviewed this report on November 10, 2004.

FISCAL IMPACT

None.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Refer the amendment to the Nonconformities Chapter of the Municipal Code related to parking requirements to the Planning Commission for review and recommendation.

Respectfully submitted,

BY: \_\_\_\_\_

FADY MATTAR  
ACTING DIRECTOR OF PLANNING AND BUILDING

FM:GC.CCbdrmsize





# CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

333 West Ocean Boulevard • Long Beach, California 90802 • (562) 570-6194 FAX (562) 570-6068

December 21, 2004

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach

California

**SUBJECT:** Hearing on Request for Approval of a Zone Change from a Regional Highway Commercial District (CHW) to a Commercial Storage District (CS) for a Portion of an Existing Self-Storage Facility at 4100 Cherry Avenue (Case No. 0406-18) (District7)

## DISCUSSION

The applicant, Pacific Planning Group on behalf of Public Storage, is requesting approval of a Zone Change from a Regional Highway Commercial District (CHW) to a Commercial Storage District (CS) to allow the expansion of an existing self-storage facility. The subject site is a 4.62-acre parcel improved with nine one-story self-storage buildings with 911 units. A new three-story climate controlled warehouse with an office was approved in 1999 under the CHW (Regional Highway Commercial) zoning designation and completed in 2002. Since that time the Zoning Ordinance has been amended and self-storage uses are no longer permitted in the CHW zone.

The applicants plan to renovate the interior of the three-story building. There will be 636 new self-storage units created on the three floors. The building footprint will remain the same and no exterior changes will take place that are visible from the street. In order for this project to be built, the portion of the site zoned CHW (Regional Highway Commercial) must be rezoned to Commercial Storage (CS).

At its meeting of November 4, 2004, the City Planning Commission conducted a public hearing on these requests (see Planning Commission staff report and minutes, Attachment 1). After consideration, the Planning Commission certified Negative Declaration 20-04, recommended that the City Council approve a Zone Change from CHW (Regional Highway Commercial District) to CS (Commercial Storage District) and approved the Site Plan Review and Conditional Use Permit, subject to conditions to allow the addition of three floors totaling 56,592 square feet within an existing one-story self-storage building.

The applicant and their consultants were the only individuals who provided testimony at the hearing. A motion to approve the project was made by Commissioner Winn and seconded by Commissioner Greenberg. The motion passed unanimously. Commissioner Jenkins was absent.

December 21, 2004

Page 2

In making this recommendation, the Planning Commission found that the zone change is consistent with the existing on-site self-storage improvements and surrounding commercial and industrial uses.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, Negative Declaration 20-04 was certified by the Planning Commission and is herewith forwarded to City Council (Attachment 2).

This report was reviewed by Assistant City Attorney Michael J. Mais on December 9, 2004.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires that the Planning Commission's decision to rezone the property be transmitted to the City Council within sixty (60) days (by January 4, 2004) following positive Planning Commission action.

A 14-day public notice of the hearing is required.

FISCAL IMPACT

None.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

- 1) Receive the supporting documentation into the record and conclude the public hearing;
- 2) Review and consider the material contained in Negative Declaration 20-04; and
- 3) Declare the Ordinance changing the zone from CHW to CS read for the first and time and laid over to the next meeting of City Council for final reading.

Respectfully submitted,

MORT STUHLBARG  
CITY PLANNING COMMISSION

BY: 

FADY MATTAR  
ACTING DIRECTOR OF PLANNING AND BUILDING

Attachments:

- 1) Planning Commission staff report and minutes dated November 4, 2004
- 2) ND 20-04  
Ordinance

CITY PLANNING COMMISSION MINUTES

JULY 7, 2005

The regular meeting of the City Planning Commission convened at 1:35pm in the City Council Chambers, 333 W. Ocean Boulevard.

**PRESENT: COMMISSIONERS:** Morton Stuhlbarg, Matthew Jenkins,  
Mitch Rouse, Charles Winn

**ABSENT: EXCUSED:** Charles Greenberg, Nick Sramek  
Leslie Gentile

**CHAIRMAN:** Morton Stuhlbarg

**STAFF MEMBERS PRESENT:** Suzanne Frick, Director  
Carolyn Bihn, Zoning Officer  
Angela Reynolds, Advance Planning  
Derek Burnham, Planner  
Jeff Winklepleck, Planner

**OTHERS PRESENT:** Mike Mais, Deputy City Attorney  
Marcia Gold, Minutes Clerk

PLEDGE OF ALLEGIANCE

No pledge of allegiance was given.

MINUTES

The minutes of May 19, 2005 and June 2, 2005 were approved on a motion by Commissioner Winn, seconded by Commissioner Jenkins, and passed 4-0. Commissioners Greenberg, Sramek and Gentile were absent.

SWEARING OF WITNESSES

CONTINUED ITEMS

1. Downtown Parking Management Plan Update

The item was continued to the July 21, 2005 meeting on a motion by Commissioner Jenkins, seconded by Commissioner Rouse and passed 4-0. Commissioners Greenberg, Sramek and Gentile were absent.

## REGULAR AGENDA

### 2. Case No. 0506-10, Certificate of Appropriateness

Applicant: David Hayden  
Subject Site: 349 Carroll Park East (Council District 2)  
Description: Hearing to consider an appeal of the Cultural Heritage Commission's decision to conditionally approve a Certificate of Appropriateness for exterior alterations to 349 Carroll Park East, a home within the Carroll Park Historic District.

Carolyn Bihn noted that applicant Hayden had requested a continuance for two weeks with a promise to halt all work at the site until the issue was resolved.

Commissioner Jenkins asked staff to research the availability and use of recycled building materials in historic districts.

Commissioner Rouse said he hoped the research would yield an approved list of substitute remodeling materials for these districts.

Commissioner Winn said he did not want the Commission to usurp the authority of the Cultural Heritage Commission, and suggested a joint meeting to discuss the issue.

Commissioner Jenkins moved to continue the item to the July 21, 2005 meeting. Commissioner Rouse seconded the motion, which passed 4-0. Commissioners Greenberg, Sramek and Gentile were absent.

### 3. Case No. 0504-26, Zoning Amendment and Local Coastal Program Amendment, CE 05-107

Applicant: Amy Bodek, Manager, Community Development  
Subject Site: Subarea 4 of the Downtown Shoreline Planned Development District (PD-6) located on the south side of Ocean Boulevard between Queens Way (Magnolia Avenue) and Pine Avenue, and north of Seaside Way (Council District 2)  
Description: Hearing to consider an amendment to Subarea 4 of the Downtown Shoreline Planned Development District (PD-6) and the Local Coastal Program.

Jeff Winklepleck presented the staff report recommending adoption of the amendment since it would provide additional

residential opportunities and contribute to the neighborhood while remaining consistent with the goals, objectives and provisions of the General Plan.

Commissioner Winn expressed concern that since the current residential market was driving the change, it could have long-term limiting and negative impacts on commercial development and schools. In response to a query from Commissioner Rouse, Mr. Winklepleck reported that only 1.5% of the commercial area had been leased.

Ms. Bihn noted that whether or not the two planned residential projects materialized, the ordinance was flexible enough to be readjusted in the future if necessary. Amy Bodek added that this was a good opportunity to balance downtown needs while retaining options for the future.

Commissioner Winn moved to recommend that the City Council adopt an ordinance to amend PD-6 Subarea 4 to increase the maximum allowable residential units by 500 units to a maximum of 1500 units and reducing the allowable area of commercial use from 2,000,000 square feet of usable area to 1,800,000 square feet of usable area; and to recommend that the City Council adopt a resolution amending the Local Coastal Program to reflect the changes to PD-6. Chairman Stuhlberg seconded the motion, which passed 4-0. Commissioners Greenberg, Sramek and Gentile were absent.

#### **4. Case No. 0411-20, Zoning Amendment, CE 04-245**

Applicant: City of Long Beach c/o Suzanne Frick  
Director of Planning and Building  
Subject Site: Citywide  
Description: Proposed amendments to the Zoning Ordinance and the Local Coastal Program regarding expansion and alteration of residential uses with nonconforming parking.

Derek Burnham presented the staff report recommending adoption of the amendments since they would address problems arising from interior alterations to create additional bedrooms, while balancing the concerns related to the provision of affordable housing.

In response to a query from Commissioner Rouse as to why the City didn't just deny these types of requests, Ms. Bihn noted that because of the degree of nonconforming properties, the amendment needed to be flexible.

Suzanne Frick, Director of Planning and Building, declared the amendment was a solution developed in response to difficulties created by bedroom additions in parking-impacted areas.

Suzanne Browne, Legal Aid Foundation, 110 Pine Avenue, expressed support for the amendments, saying her group had worked with City staff and the Apartment Association to address issues and develop a compromise.

Mark Bolanos, 4141 E. 7<sup>th</sup>, property owner, expressed opposition to the changes, saying it would affect his ability to expand his low-income rentals which would cause overcrowding. Mr. Bolanos said he could not respond to a query from Commissioner Winn asking him for alternative ideas.

Commissioner Winn moved to recommend that the City Council adopt the amendments to the Zoning Ordinance. Commissioner Rouse seconded the motion, which passed 4-0. Commissioners Greenberg, Sramek and Gentile were absent.

#### **M A T T E R S   F R O M   T H E   A U D I E N C E**

There were no matters from the audience.

#### **M A T T E R S   F R O M   T H E   D E P A R T M E N T   O F P L A N N I N G   A N D   B U I L D I N G**

Carolyn Bihn reviewed the agenda for the July 21, 2005 meeting. Angela Reynolds added that after the meeting, staff would be bringing the first scoping meeting before the Commission to discuss the idea of a Downtown Master EIR.

#### **M A T T E R S   F R O M   T H E   P L A N N I N G C O M M I S S I O N**

There were no matters from the Planning Commission.

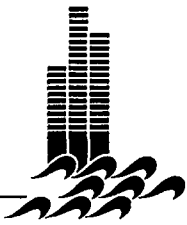
#### **A D J O U R N**

The meeting adjourned at 2:31pm.

Respectfully submitted,

Marcia Gold  
Minutes Clerk

**Attachment 2**  
**Planning Commission Staff Report**  
**of September 1, 2005**



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

September 1, 2005

CHAIRMAN AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**SUBJECT:** Proposed Amendments to the Zoning Ordinance Regarding Maintenance of Nonconforming Parking Rights for Commercial Uses in Area D of the Coastal Zone (Council District 3), and Regulations Governing Nonconforming Driveways (Parking Impacted Areas).

**LOCATION:** Area D of the Coastal Zone (Belmont Shore) and Parking Impacted Areas

**APPLICANT:** City of Long Beach  
c/o Suzanne Frick, Director of Planning and Building  
333 W. Ocean Boulevard  
Long Beach, CA 90802

## RECOMMENDATION

Planning Commission recommend that the City Council adopt the amendments to the Zoning Ordinance.

## BACKGROUND

### ***Maintenance of Nonconforming Parking Rights in Area D of the Coastal Zone***

On March 15, 2005, the City Council directed the Planning Commission to investigate amendments to the Zoning Ordinance that would allow restaurants in Area D of the Coastal Zone (Belmont Shore) to maintain nonconforming parking rights after a change to a non-restaurant use. The issue of maintaining nonconforming parking rights stems from the desire of the Belmont Shore residents to see a decrease in the number restaurants in the area and an increase in the number of retail uses along the street. This would have the effect of reducing parking demand in the area, since retail parking demand is generally less than the restaurant demand, as well as broadening the mix of uses present in the Belmont Shore area.



In the past, the City has amended the zoning regulations to encourage retail uses in Belmont Shore. In 1999, the City Council adopted amendments that increased the parking requirements for restaurant uses in Belmont Shore. The assumption was that the change would prevent new restaurants from opening and encourage new retail uses in the area. While the change to the Zoning Ordinance significantly decreased the likelihood of new restaurants being established in the area, it has had the side effect of ensuring the permanence of existing restaurant uses due to the nonconforming parking rights held by the restaurants. If the existing restaurants were to change to a retail use, the current zoning regulations would not allow the use to revert back to a restaurant without providing additional parking. Both the Belmont Shore Residents Association and the Belmont Shore Parking and Business Improvement Advisory Committee believe that allowing properties to maintain nonconforming parking will encourage property owners to consider retail uses in lieu of restaurants, since this would allow the property owner to reestablish a restaurant if the retail use proves unviable.

In 2003, the Planning Commission approved a Standards Variance and Local Coastal Development Permit request to allow the retention of nonconforming parking rights following a change in use at 5004-5006 E. 2<sup>nd</sup> Street (Case No. 0306-27 "Billings Hardware"). The proposed amendment is reflective of the Planning Commission decision, and would allow all uses in Belmont Shore with nonconforming parking to retain nonconforming parking rights after a change in use, subject to staff Site Plan Review.

Staff presented the proposed amendments to the Belmont Shore Residents Association on July 14, 2005, and to the Belmont Shore Parking and Business Improvement Advisory Commission on July 21, 2005. At the meetings, the residents recommended a broadening of the amendment to include all uses with nonconforming parking instead of only restaurants, and Staff concurred with this approach.

In drafting the proposed amendments, Staff attempted to balance the desires of the residents and business owners with the need to provide a mechanism to track properties with nonconforming parking rights. Staff determined that the Site Plan Review process was the most appropriate mechanism. The proposed amendment would allow a property owner to submit for Site Plan Review, at which point Planning Staff will determine the number of nonconforming parking spaces. After this determination, the property will maintain nonconforming rights to the number of parking spaces, regardless of the use on the property.

### ***Nonconforming Driveways***

On November 11, 2004 the City Council directed the Planning Commission to investigate amending the Zoning Ordinance to allow the replacement of one-car garages with carports. Staff met with the community on February 10, 2005 to discuss the issue. At this community meeting, residents did not endorse the idea of carports as a replacement for garages, but did raise the issue of retention of nonconforming driveways. Currently, the Zoning Ordinance does not allow driveways in Parking Impacted Areas where the site has

alley access. Therefore, if an existing garage with driveway access is reconstructed to provide alley access, the driveway approach must be removed. In 2004, both the Zoning Administrator and Planning Commission denied a request to retain an existing nonconforming driveway after demolishing an existing one-car garage accessed by the driveway and replacing it with a two-car garage with alley access (Case No. 0403-31). Several neighboring residents opined that requiring the removal of driveways results in an increase in the demand for street parking without adding additional street parking, since many of the driveways in the Belmont Shore area are only 9 feet wide.

Staff presented the proposed amendments to the Belmont Shore Residents Association on July 14, 2005, and to the Belmont Shore Parking and Business Improvement Advisory Commission on July 21, 2005. At the meetings, the residents supported the concept of the amendment, but some residents questioned the narrowing of the scope of the amendment to deal only with nonconforming driveways, and requested that Staff continue to explore the possibility of allowing carports or concrete parking pads in lieu of a garage. Staff believes that it is appropriate to move forward with the new regulations for nonconforming driveways. The issue regarding carports is still pending, and Staff has scheduled additional community meetings to garner input from residents.

In drafting the amendments to the Zoning Ordinance, Staff determined that not only should the amendment apply in the Belmont Shore area, but throughout the Parking Impacted Areas, since the remainder of the parking impacted areas shares similar parking constraints to those found in Belmont Shore. Therefore, the amendment will allow nonconforming driveways in Parking Impacted Areas to remain, provided that the driveway leads to a legal place to park, as defined in Section 21.41.281. An illustration of this concept is shown in Attachment 4.

### **PUBLIC HEARING NOTICE**

In accordance with the Noticing Requirements of the Zoning Ordinance, a legal notice appeared in the Press Telegram newspaper on August 16, 2005. Notices were also sent to each of the nine City Council representatives, all public libraries, and posted at City Hall.

### **ENVIRONMENTAL REVIEW**

The project has been deemed categorically exempt from further environmental review, pursuant to the Guidelines for Implementation of the California Environmental Quality Act. Categorical Exemption (CE 04-245) is attached for your review.

**IT IS RECOMMENDED THAT THE PLANNING COMMISSION:**

Recommend that the City Council adopt the amendments to the Zoning Ordinance.

Respectfully submitted,

SUZANNE FRICK  
DIRECTOR OF PLANNING AND BUILDING

By:   
DEREK BURNHAM  
PLANNER

Approved:   
CAROLYNE BIHN  
ZONING OFFICER

CB: db

Attachments:

1. Proposed Amendments
2. Categorical Exemption
3. Letters
4. Example of Maintaining a Nonconforming Driveway

21.25.502

7. **Determination of Nonconforming Parking Rights in Area D of the Coastal Zone.** Requests for determination of nonconforming parking rights per section 21.41.226 A.

**21.41.226 Special parking requirements for CP and CNP District.**

The number of required parking spaces for uses in the CP and CNP Zone Districts are specified as follows:

- A. In Area D of the Coastal Zone (Second Street, between Livingston Drive and Bayshore Avenue), the parking in the CP and CNP Districts shall be one-half (1/2) of the parking required in Chapter 21.41, Table 41-1C. In all other areas of the Coastal Zone and outside the Coastal Zone, parking in the CP and CNP Districts shall be as required in Chapter 21.41, Table 41-1C. Any new parking provided, or reconfiguration of existing parking facilities, in Area D of the Coastal Zone can utilize tandem parking subject to the provisions of Subsection 21.41.235.B of the tandem parking regulations.
  1. **Restaurants.** The one-half (1/2) parking standard shall not apply to restaurants (new and reuse/conversion of existing non-restaurant lease spaces) which shall conform to full parking standards. *This subsection does not apply to ready-to-eat restaurants (as defined in Section 21.15.2332), which may utilize the one-half (1/2) parking standard.*
  2. **Determination of Nonconforming Parking Rights.** *Owners of properties with nonconforming parking rights within Area D of the Coastal Zone may apply for Site Plan Review to obtain a determination of nonconforming parking rights. Such determination will establish the number of non-conforming spaces that apply to the property at the time of the request and will allow the property to maintain nonconforming parking rights to the established number of spaces regardless of change in use of the existing buildings.*
- B. **Outdoor Dining.** In Area D of the Coastal Zone (Second Street, between Livingston and Bayshore), outdoor dining on private property shall require the same parking as required for indoor dining.
- C. **Within Established Parking District.** If the site to be developed or expanded is located within a parking district established pursuant to the laws of the State of California or local ordinances, the required parking

spaces shall be provided as follows:

1. For a new development on a lot with gross lot area less than five thousand (5,000) square feet, or for any expansion of an existing building, the development may, in lieu of providing all or part of required off-street parking on-site or within six hundred feet (600') of the site, pay a fee to the parking district based on the cost of providing such parking. The amount of the in-lieu fee shall be established by the City Council by resolution and shall be reviewed periodically to assure its adequacy to cover the cost of providing parking under this provision.
2. For a new development on a lot with gross lot area of five thousand (5,000) square feet or more, a minimum of fifty percent (50%) of the required parking shall be provided on the site, or within six hundred feet (600') of the site. The remaining required parking may be provided by an in-lieu fee as described above.
3. All existing parking provided for or leased by any business shall hereinafter be the minimum required for the existing use on that site. If the parking now required exceeds that established pursuant to Subsection 21.41.226.A, the parking now provided may not be reduced below that required in Table 41-1C. (Ord. C-7777 § 2, 2001; Ord. C-7619 § 4, 1999; Ord. C-7247 § 22, 1994; Ord. C-6684 § 30, 1990; Ord. C-6533 § 1 (part), 1988).

**21.41.253 Parking areas-Curb cuts.**

A curb cut clearance shall be obtained from the Public Works Department and shall be submitted with an application for a building permit. For any nonresidential use with more than a fifty-foot (50') frontage on a street, no curb cut shall be permitted within thirty-five feet (35') of an intersection. All unused curb cuts shall be replaced with a full height curb and gutter. (Ord. C-6684 § 35, 1990; Ord. C-6533 § 1 (part), 1988).

**Table 41-5  
Maximum Number and Width of Driveways and Curb Cuts**

Site Width	No paved alley (a)(d) or paved alleys less than 10' in width	Paved alley (a)(c) 10' - 15'	Paved alley (a)(c) 16' - 20'
0' - 120'	1 curb cut, 20 feet max. width (e)	No curb cuts-residential (b); 1 curb cut 24 feet max, width- non-residential	No curb cut-residential (b); 24 feet max. width- non-residential
121' - 200'	2 curb cuts, 24 feet max. width each	1 curb cut, 24 feet max. width	No curb cut-residential (b); 1 curb cut 24 feet max. width- non-residential
201' - 400'	2 curb cuts, 24 feet max. width each	2 curb cuts, 24 feet max. width each	No curb cut-residential (b); 2 curb cuts 24 feet max. width- non-residential
401' - plus	3 curb cuts, 24 feet max. width each	3 curb cuts, 24 feet max, width each	No curb cut-residential (b); 3 curb cuts, 24 feet max, width- non-residential

(a) Minimum width of the alley from site to a public street.

(b) This shall only apply in parking impacted areas. In R-1 and R-2 zones, outside of parking impacted areas, one driveway, twenty-foot-wide (20') is allowed. ***In all residential zones within parking impacted areas, nonconforming driveways may be maintained provided that the driveway leads to a legal parking space.***

(c) No access shall be allowed to an arterial highway from a lot in a residential zone.

(d) On corner lots, in residential zones, where both streets are classified as regional arterials, arterials, principal streets or collector streets, driveway(s) shall be limited to the lower classified street.

(e) The City Engineer may adjust the width of the permitted curb cuts by up to four feet (4'), if such an increase would be beneficial to the public safety.



CITY OF  
LONG  
BEACH

FEE \$133.13

Categorical Exemption CE- 245-04

### NOTICE OF EXEMPTION

To: \_\_\_\_\_ Office of Planning & Research  
1400 Tenth street, Room 121  
Sacramento, CA 95814

From: Department of Planning & Building  
333 W. Ocean Blvd., 5th Floor  
Long Beach, CA 90802

L. A. County Clerk  
Environmental Filings  
12400 E. Imperial Hwy. 2nd Floor, Rm. 2001  
Norwalk, CA 90650

Project Title: Zoning Text Amendment.

Project Location - Specific: Citywide

Project - City: Long Beach Project Location - County: Los Angeles

Activity Description: Zoning amendment regarding parking requirements for expansion and alteration of residential uses with nonconforming parking.

Name of Public Agency Approving Project: City of Long Beach

Name of Person or Agency Carrying Out Project: Esdy Mattar  
(Printed Name)

333 W. Ocean Blvd Long Beach, CA 90802  
(Mailing Address)

(562) 570-7713  
(Telephone) (Signature)

#### LONG BEACH CITY PLANNING COMMISSION

The above project has been found to be exempt from CEQA in accordance with the State Guidelines Section 15305

Statement of Support for this finding: Minor change to land use regulations - no change in land use or d

Lead Agency  
Contact Person: Doris Rowanham Area Code/Telephone: (562) 570-6261

Signature: Doris Rowanham Date: 12/6/01 Title: Planner

Signed by Lead Agency

Signed by Applicant



Date: November 10, 2004  
To: Nick Sramek, Planning Commission  
From: Larry G. Herrera, City Clerk  
Subject: Meeting November 9, 2004  
Agenda Item 19

The City Council at its meeting of Tuesday, November 9, 2004 made the following motion:

Refer to Planning Commission to investigate amending the Zoning Regulations in the Belmont Shore area to allow the replacement of one-car garages with carports.  
(Doc. 95)

Maker of the Motion: Councilmember Frank Colonna and seconded by Councilmember Dan Baker.

Prepared by:  
Nancy Muth

Attachment





**Date:** November 9, 2004  
**To:** Mayor O'Neill and City Council  
**From:** Frank Colonna, Council Member, Third District *FC*  
**Subject:** BELMONT SHORE SUBSTANDARD GARAGES

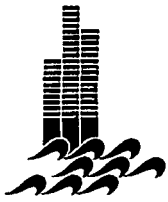
---

There are a number of residential properties in Belmont Shore that were developed at a time when small, substandard sized garages were the norm. A number of these garages remain and are essentially unusable due to their size or location on the property.

Several constituents have reported that they would be willing to demolish their non-functional one-car garages and replace them with a carport capable of accommodating two cars. Currently, the Zoning Regulations would require that a demolished garage be replaced with a new garage. As this is an area of the City that experiences a great deal of demand for curbside spaces, this seems like an issue that is worthy of analysis by the Department of Planning and Building and the Planning Commission.

I respectfully request that the City Council refer this matter to the Planning Commission to investigate amending the Zoning Regulations in the Belmont Shore area to allow the replacement of one-car garages with carports.

FC/ag



**Date:** April 8, 2005  
**To:** Mayor O'Neill & City Council  
**From:** Frank Colonna, Council Member, Third District  
**Subject:** AGENDA ITEM-MARCH 15, 2005 AMENDMENT TO THE ZONING REGULATIONS TO ADDRESS MAINTENANCE OF NON-CONFORMING PARKING RIGHTS

---

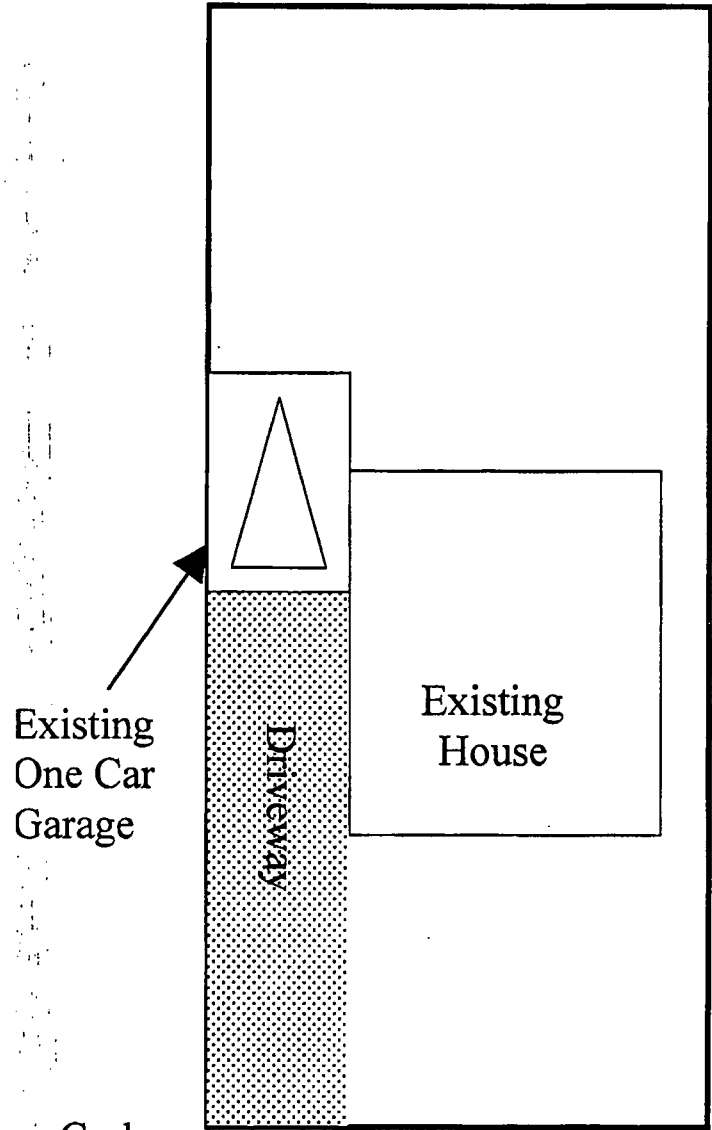
It is my understanding that the Belmont Shore Parking and Business Improvement Area Advisory Commission would like to create a mechanism that would permit existing restaurants to be converted to non-restaurant use to both broaden the tenant mix along Second Street and provide for some temporary decrease in parking demand. To accomplish this, a change to the Zoning Regulations is necessary to encourage, or remove the constraints from restaurant property owners converting the use of their properties.

I respectfully request that the City Council refer this matter to the Planning Commission to investigate amending the Zoning Regulations in the Belmont Shore area to allow grandfathered parking rights in the conversion of a restaurant-to-retail use.

FC/ag

Before

Alley



Existing One Car Garage

Driveway

Existing House

Curb

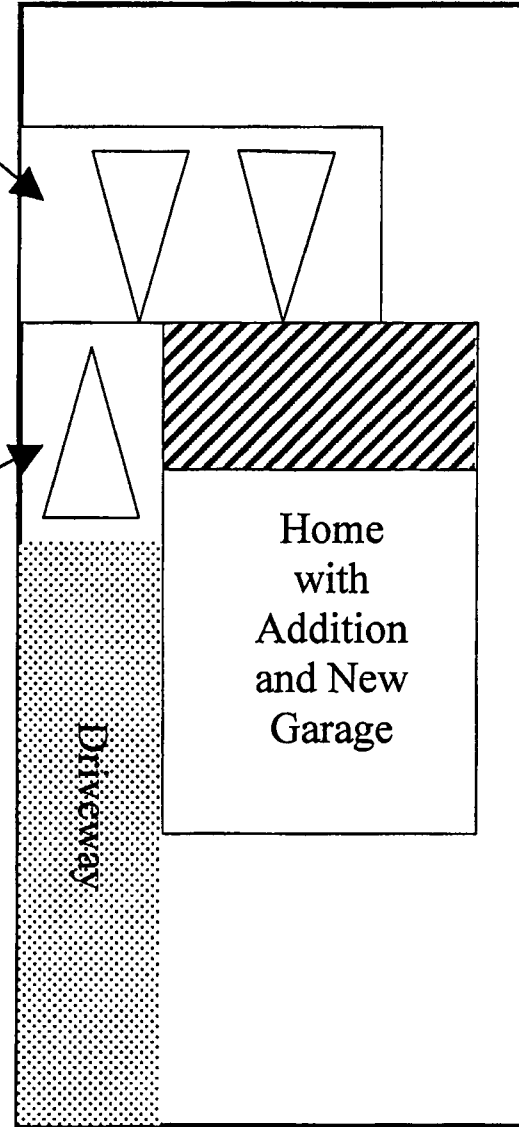
Street

After

Alley

New 2-Car Garage

Open Parking Space in Rear Half of Lot



Curb

Home with Addition and New Garage

Driveway

Existing Driveway Approach

Street

Driveway Approach Maintained

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTIONS 21.27.060.C and 21.27.060.D, 21.41.226 AND 21.41.253; AND BY ADDING SECTIONS 21.25.502.A.7 AND 21.27.065, ALL RELATED TO ZONING REGULATIONS

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

Section 1. Section 21.27.060.C and 21.27.060.D of the Long Beach Municipal Code is amended to read as follows:

21.27.060 Expansion.

C. Nonconforming Residential Uses.

1. Maximum Expansion. A nonconforming residential use (i.e., that exceeds the allowable density for the zone, or is located in a zone that does not permit residential uses) may expand up to two hundred fifty (250) square feet per unit.

2. Parking. Any expansion beyond two hundred fifty (250) square feet per site of cumulative addition shall require one (1) additional conforming parking space for each additional two hundred fifty (250) square feet. For single-family dwellings outside the parking impacted areas, no additional parking shall be required on sites with driveways twenty feet (20') or more in length.

3. Development Standards. The expansion shall be consistent in style and materials with the existing building, and shall conform to the current development standards of the zone.

1 D. Conforming Residential Use with Nonconforming Parking. A  
2 residential use with nonconforming parking may be expanded as follows:

3 1. Demolition of Nonconforming Parking. Nonconforming  
4 parking demolished during remodeling or additions may be replaced with  
5 new parking of equal size or a more conforming size. The new parking  
6 shall provide for the best feasible turning radius. For the purposes of this  
7 Section "best feasible turning radius" means the most conforming turning  
8 radius that may be created by relocating the new parking on the lot up to  
9 the point it conflicts with the existing building.

10 2. Addition of New Dwelling Unit. The addition of new  
11 dwelling units on a lot shall require the provision of additional parking  
12 spaces for the new dwelling units as well as existing units if substandard  
13 in parking in accordance with the standards for new construction.

14 3. Expansion of Existing Dwelling Unit. A residential use  
15 with nonconforming parking may be expanded by up to two hundred fifty  
16 (250) square feet after July 1, 1989, without providing additional parking.  
17 Expansion beyond two hundred fifty (250) square feet per site of  
18 cumulative addition shall require one (1) additional conforming parking  
19 space for each additional two hundred fifty (250) square feet. However,  
20 for single-family dwellings outside the parking impacted areas, no  
21 additional parking shall be required on sites with driveways twenty feet  
22 (20') or more in length.

23  
24 Sec. 2. Section 21.41.226 of the Long Beach Municipal Code is amended  
25 to read as follows:

26 21.41.226 Special parking requirements for CP and CNP District.

27 The number of required parking spaces for uses in the CP and  
28 CNP Zone Districts are specified as follows:

1 A. In Area D of the Coastal Zone (Second Street, between  
2 Livingston Drive and Bayshore Avenue), the parking in the CP and CNP  
3 Districts shall be one-half (½) of the parking required in Chapter 21.41,  
4 Table 41-1C. In all other areas of the Coastal Zone and outside the  
5 Coastal Zone, parking in the CP and CNP Districts shall be as required in  
6 Chapter 21.41, Table 41-1C. Any new parking provided, or  
7 reconfiguration of existing parking facilities, in Area D of the Coastal Zone  
8 can utilize tandem parking subject to the provisions of Subsection  
9 21.41.235.B of the tandem parking regulations.

10 1. Restaurants. The one-half (½) parking standard shall not  
11 apply to restaurants (new and reuse/conversion of existing non-restaurant  
12 lease spaces) which shall conform to full parking standards. This  
13 Subsection does not apply to ready-to-eat restaurants (as defined in  
14 Subsection 21.15.2332), which may utilize the one-half (½) parking  
15 standard.

16 2. Determination of Nonconforming Parking Rights. Owners  
17 of properties with nonconforming parking rights within Area D of the  
18 Coastal Zone may apply for Site Plan Review to obtain a determination of  
19 nonconforming parking rights. Such determination will establish the  
20 number of nonconforming spaces that apply to the property at the time of  
21 the request and will allow the property to maintain nonconforming parking  
22 rights to the established number of spaces regardless of change in use of  
23 the existing buildings.

24 B. Outdoor Dining. In Area D of the Coastal Zone (Second Street,  
25 between Livingston and Bayshore), outdoor dining on private property  
26 shall require the same parking as required for indoor dining.

27 C. Within established parking district. If the site to be developed  
28 or expanded is located within a parking district established pursuant to the

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1 laws of the State of California or local ordinances, the required parking  
2 spaces shall be provided as follows:

3 1. For a new development on a lot with gross lot area less  
4 than five thousand (5,000) square feet, or for any expansion of an existing  
5 building, the development may, in lieu of providing all or part of required  
6 off-street parking on-site or within six hundred feet (600') of the site, pay a  
7 fee to the parking district based on the cost of providing such parking.  
8 The amount of the in-lieu fee shall be established by the City Council by  
9 resolution and shall be reviewed periodically to assure its adequacy to  
10 cover the cost of providing parking under this provision.

11 2. For a new development on a lot with gross lot area of five  
12 thousand (5,000) square feet or more, a minimum of fifty percent (50%) of  
13 the required parking shall be provided on the site, or within six hundred  
14 feet (600') of the site. The remaining required parking may be provided by  
15 an in-lieu fee as described above.

16 3. All existing parking provided for or leased by any  
17 business shall hereinafter be the minimum required for the existing use on  
18 that site. If the parking now required exceeds that exceeds that  
19 established pursuant to Subsection 21.41.226.A, the parking now  
20 provided may not be reduced below the required in Table 41.1C.

21  
22 Sec. 3. Section 21.41.253 of the Long Beach Municipal Code is amended  
23 to read as follows:

24 21.41.253 Parking areas-Curb cuts.

25 A curb cut clearance shall be obtained from the Public Works Department  
26 and shall be submitted with an application for a building permit. For any  
27 nonresidential use with more than a fifty-foot (50') frontage on a street, no curb  
28 cut shall be permitted within thirty-five feet (35') of an intersection. All unused

curb cuts shall be replaced with a full height curb and gutter.

Table 41.5

Maximum Number and Width of Driveways and Curb Cuts

Site Width	No paved alley (a)(d) or paved alleys less than 10' in width	Paved alley (a)(c) 10' - 15'	Paved alley (a)(c) 16' - 20'
0' - 120'	1 curb cut, 20 feet max. width (e)	No curb cuts-residential (b); 1 curb cut 24 feet max. width- non-residential	No curb cut-residential (b); 24 feet max. width- non-residential
121' - 200'	2 curb cuts, 24 feet max. width each	1 curb cut, 24 feet max width	No curb cut-residential (b); 1 curb cut 24 feet max. width- non-residential
201' - 400'	2 curb cuts, 24 feet max. width each	2 curb cuts, 24 feet max. width each	No curb cut-residential (b); 2 curb cuts 24 feet max. width- non-residential
401' - plus	3 curb cuts, 24 feet max. width each	3 curb cuts, 24 feet max, width each	No curb cut-residential (b); 3 curb cuts, 24 feet max. width- non-residential

(a) Minimum width of the alley from site to a public street.

(b) This shall only apply in parking impacted areas. In R-1 and R-2 zones, outside of parking impacted areas, one driveway, twenty feet (20') wide is allowed. In all residential zones within parking impacted areas, nonconforming driveways may be maintained provided that the driveway leads to a legal parking space.

(c) No access shall be allowed to an arterial highway from a lot in a residential zone.

(d) On corner lots, in residential zones, where both streets are classified as regional arterials, arterials, principal streets or collector street, driveway(s) shall be limited to the lower classified street.

(e) The City Engineer may adjust the width of the permitted curb cuts by up to four feet (4'), if such an increase would be beneficial to the public safety.

//

//

Robert E. Shannon  
 City Attorney of Long Beach  
 333 West Ocean Boulevard  
 Long Beach, California 90802-4664  
 Telephone (562) 570-2200



1                   Sec. 4. Section 21.27.065 is added to the Long Beach Municipal Code to  
2 read as follows:

3           21.27.065   Interior alteration to multi-family residential uses with  
4   nonconforming parking to create additional bedrooms.

5           A. Minimum Unit Size. An interior alteration to create a bedroom  
6 within an existing residential use with a nonconforming number of parking  
7 spaces may be permitted without providing additional parking if the  
8 dwelling unit size after alteration meets or exceeds the minimum size set  
9 forth in Table 27-1.

10   Table 27-1  
11   Minimum Unit Size After Alteration

Total Number of Bedrooms	Unit Size
1	450
2	750
3	900
4	1100
Each additional bedroom requires an additional 70 square feet of floor area.	

12  
13  
14  
15  
16  
17  
18           B. Parking. If the dwelling unit size does not meet or exceed the  
19 minimum size set forth in Table 27-1, interior alteration to create an  
20 additional bedroom shall require one additional conforming parking space  
21 until the parking complies with the requirements of Chapter 21.41.  
22

23                   Sec. 5. Subsection 21.25.502.A.7 is added to the Long Beach Municipal  
24 Code to read as follows:

25   7. Determination of Nonconforming Parking Rights in Area  
26 D of the Coastal Zone. Requests for determination of nonconforming  
27 parking rights per Section 21.41.226.A.  
28 //

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Sec. 6. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2005, by the following vote:

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

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

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

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

Approved: \_\_\_\_\_  
\_\_\_\_\_  
Mayor

1 RESOLUTION NO.

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF  
5 PLANNING AND BUILDING TO SUBMIT AMENDMENTS TO  
6 THE LONG BEACH ZONING REGULATIONS TO THE  
7 CALIFORNIA COASTAL COMMISSION FOR APPROVAL

8  
9 The City Council of the City of Long Beach resolves as follows:

10  
11 WHEREAS, on \_\_\_\_\_, 2005, the City Council of the City of  
12 Long Beach amended certain provisions of the Long Beach Zoning Regulations (the  
13 "Amendments") as set forth in Ordinance No. \_\_\_\_\_ of the City of Long  
14 Beach; and

15 WHEREAS, said amendments include certain revisions to Title 21 of the  
16 City's Zoning Code; and

17 WHEREAS, it is the desire of the City Council to submit the above  
18 referenced zoning regulation amendments to the California Coastal Commission for its  
19 review as implementing ordinances of the Long Beach Local Coastal Program (LCP);  
20 and

21 WHEREAS, the Planning Commission and City Council gave full  
22 consideration to all facts and the proposals respecting the amendments to the Zoning  
23 Regulations at properly noticed and advertised public hearings; and

24 WHEREAS, the City Council approved the proposed changes to the LCP  
25 by adopting the Zoning Regulations. The proposed zoning regulation amendments are  
26 to be carried out in a manner fully consistent with the Coastal Act and become effective  
27 in the Coastal Zone immediately upon Coastal Commission certification; and

28 WHEREAS, environmental documentation has been prepared, certified,

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1 received and considered as required by law, and the City Council hereby finds that the  
2 proposed amendments will not adversely affect the character, livability or appropriate  
3 development of the surrounding properties and that the amendments are consistent  
4 with the goals, objectives and provisions of the general plan;

5 NOW, THEREFORE, the City Council of the City of Long Beach resolves  
6 as follows:

7 Section 1. The amendments to the Long Beach Zoning Regulations as  
8 adopted by Ordinance No. \_\_\_\_\_ of the Long Beach City Council on  
9 \_\_\_\_\_, 2005, a copy of which is attached to and incorporated in this  
10 resolution as Exhibit "A", is hereby submitted to the California Coastal Commission for  
11 its earliest review as to those parts of the ordinances that directly affect land use  
12 matters in that portion of the California Coastal Zone within the City of Long Beach.

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

20 Sec. 3. This resolution shall take effect immediately upon its adoption by  
21 the City Council, and the City Clerk shall certify the vote adopting this resolution.

22 //

23 //

24

25

26

27

28

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I certify that this resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2005, by the following vote:

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

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

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

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