**CITY OF LONG BEACH**

DEPARTMENT OF PLANNING AND BUILDING

H-1

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

ADVANCE PLANNING

July 15, 2004

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Amendment to the Open Space and Recreation Element to List the New 55th Way Neighborhood Park and Daryle Black Mini-Park; and the Repeal of the Limitation to Three Land Use Element Amendments Per Calendar Year

LOCATION: Citywide

APPLICANT: Fady Mattar
Planning and Building
City of Long Beach**RECOMMENDATION**

Postpone action on the Amendment to the Open Space and Recreation Element to a date uncertain and repeal the limitation in the Land Use Element to three Land Use Element amendments per calendar year resulting in the default limitation of four amendments per calendar year, as depicted in Exhibit A.

BACKGROUND

On January 15, 2004 and February 5, 2004, the Long Beach Planning Commission approved the Daryle Black mini-park and 55th Way Neighborhood Park, respectively. The 55th Way Neighborhood Park is located on a 5.5-acre site that is part of a 17.4-acre former municipal waste landfill. The Daryle Black Memorial Park is the latest pocket park in a park-underserved area. These updates to the Open Space and Recreation Element should be postponed in order to batch these updates with other parks that will be developed later this year.

California State law [§65357 (b)] limits the frequency of amendments to each mandatory element of the General Plan to four times per calendar year. The City of Long Beach Land Use Element, on the other hand, imposes a three amendment limit to the Land Use Element per calendar year. This policy has served the City well during periods of slow economic growth. However, with the current development activity within the City, this policy of batching amendments three times a year is unfeasible for

Chair and Planning Commissioners
July 15, 2004
Page 2

meeting the zoning entitlement timing requirements. As a result, staff recommends the repeal of this policy.

PUBLIC HEARING NOTICE

Notice of this hearing was published in the *Press Telegram* on July 1, 2004. Notices were also posted at City Hall and mailed to interested parties.

ENVIRONMENTAL REVIEW

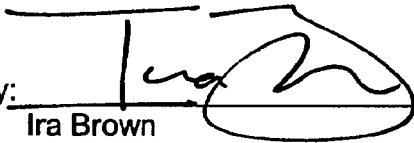
In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), it has been determined that this action is exempt from environmental review. As a result, Categorical Exemption 322-04 was issued.

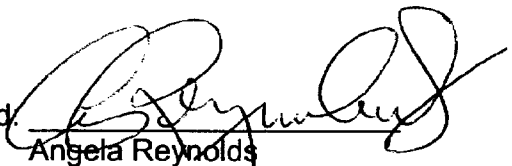
IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Postpone action on the Amendment to the Open Space and Recreation Element to a date uncertain and repeal the limitation in the Land Use Element to three Land Use Element amendments per calendar year resulting in the default limitation of four amendments per calendar year, as depicted in Exhibit A.

Respectfully submitted,

FADY MATTAR
ACTING DIRECTOR OF PLANNING AND BUILDING

By: 
Ira Brown
Planner

Approved: 
Angela Reynolds
Advance Planning Officer

FM: AR: IB
55PC_itr_fivableplaces.doc

Attachments:
1. Pre and Post Land Use Element Text



\$25.00 FILING FEE

Categorical Exemption CEP-300-04

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

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

Project Title: GENERAL PLAN AMENDMENTS

Project Location - Specific: CITY WIDE

Project - City: LONG BEACH Project Location - County: Los Angeles

Activity Description: updating PARK LISTING IN
OPEN SPACE ELEMENT & REPEAL LUE AMENDMENT LIMIT.

Name of Public Agency Approving Project: City of Long Beach

Name of Person or Agency Carrying Out Project: City of Long Beach
(Printed Name)

333 W OCEAN BLVD LONG BEACH
(Mailing Address)

562-570-5972 (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
15308 CLASS 8

Statement of Support for this finding: MINOR WORD CHANG TO PLANNING DOC.

Lead Agency
Contact Person: IAN BROWN Area Code/Telephone: 562-570-5972

Signature: [Signature] Date: 7/4/04 Title:

Signed by Lead Agency

Signed by Applicant

Charge Point:

Attachment B

EXHIBIT A AMENDMENTS

Occasional amendments to the Land Use Element will be necessary to permit the flexibility needed to keep the plan relevant to changing social, economic, and environmental objectives of the community at large. State law permits local governments to amend the general plan up to four times a year as a means to insure responsiveness to changing goals while constraining the frequency of these changes.

Amendments, however, can have a negative impact on the long range goals of the Plan. Numerous amendments may have a significant, cumulative negative effect. This section, therefore, sets forth the guidelines for future amendments to the Land Use Element so that they will have a beneficial rather than a negative effect on the City.

~~1. Proposals for amendments shall be received and scheduled for public hearings three times each calendar year, at approximately four months intervals;~~

1. Applicants for amendments must:

- File amendments on the form provided by the Department of Planning and Building and pay the fee current at the time of application;
- Apply for environmental review and zoning changes as appropriate to the proposal at the time of the amendment application is filed;
- Make reference on the application form to the land use districts described in this Land Use Element, not to zoning categories;
- Make application for amendments for areas no smaller than the equivalent of one city block or block face in size. Applications for single lots or small combinations of lots will not be processed;

- Show that the proposed amendment conforms to the population, housing, design/architecture, and neighborhood preservation/enhancement goals of the General Plan, as detailed in this Land Use Element and other elements of the general plan current at the time of application;

- Provide data and maps adequate to fully illustrate the proposed amendment.

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

RESOLUTION NO. C-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING, AFTER PUBLIC HEARING, AMENDMENTS TO THE TEXT OF THE LAND USE ELEMENT OF THE GENERAL PLAN OF THE CITY OF LONG BEACH DELETING THE LIMITATION OF THREE LAND USE ELEMENT AMENDMENTS PER YEAR

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

Section 1. The City Council does hereby find, determine and declare:

A. The City Council of the City of Long Beach has adopted, pursuant to Section 65302 of the California Government Code, a Land Use Element as part of the City's General Plan;

B. The City Council desires to amend the Land Use Element of the City of Long Beach as set forth in this Resolution;

C. The City Planning Commission held a public hearing on July 15, 2004, on an amendment to the text of the Land Use Element of the General Plan of the City of Long Beach;

D. At that hearing, the Planning Commission gave full consideration to all pertinent facts, information, views, proposals and recommendations respecting all parts of the amendment to the text of the Land Use Element of the General Plan and afforded full opportunity for public input and participation;

E. Following receipt of all appropriate documentation, full hearings and deliberation, the City Planning Commission recommended approval of the amendment to the text of the Land Use Element of the General Plan and further directed that said recommendation be forwarded to the City Council for consideration;

1 F. That on _____, 2004, the City Council
2 conducted a duly noticed public hearing at which it gave full consideration to all
3 pertinent facts, information, views, proposals and recommendations respecting all parts
4 of the amendment to the text of the Land Use Element of the General Plan and
5 afforded full opportunity for public input and participation.

6 G. Following receipt of all appropriate environmental
7 documentation, full hearings and deliberation, the City Council did concur with the
8 recommendations of the Planning Commission and did approve and adopt the
9 environmental documentation and the amendment to the text of the Land Use Element
10 of the General Plan as follows:

11 Occasional amendments to the Land Use Element will be
12 necessary to permit the flexibility needed to keep the plan relevant to
13 changing social, economic, and environmental objectives of the
14 community at large. State law permits local governments to amend the
15 general plan up to four times a year as a means to insure responsiveness
16 to changing goals while constraining the frequency of these changes.

17 Amendments, however, can have a negative impact on the long
18 range goals of the Plan. Numerous amendments may have a significant,
19 cumulative negative effect. This section, therefore, sets forth the
20 guidelines for future amendments to the Land Use Element so that they
21 will have a beneficial rather than a negative effect on the City.

22 Applicants for amendments must:

- 23 • Apply for amendments on the form provided by the Department of
24 Planning and Building and pay the applicable fee at the time of
25 application;
- 26 • Apply for environmental review and zoning changes as appropriate to the
27 proposal at the time the amendment application is filed;
- 28 • Make reference on the application form to the land use districts described

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

in this Land Use Element, not to zoning categories;

- Make application for amendments for areas no smaller than the equivalent of one city block or block face in size. Applications for single lots or small combinations of lots will not be processed;
- Show that the proposed amendment conforms to the population, housing, design/architecture, and neighborhood preservation/enhancement goals of the General Plan, as detailed in this Land Use Element and other elements of the general plan current at the time of application;
- Provide data and maps adequate to fully illustrate the proposed amendment.

Sec. 2. The City Council of the City of Long Beach hereby formally approves and adopts the amendment to the text of the Land Use Element of the General Plan of the City of Long Beach, as certified and recommended by the Planning Commission of the City of Long Beach.

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

//

//

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 hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2004, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk