Planning Commission

June 2, 2022

5925 East Seaside Walk

Appeal of a Zoning Administrator's decision to approve a Local Coastal Development Permit and Standard Variances for the demolition of an existing duplex and construction of a new residential duplex with an attached four-car garage in the R-2-I (Two-Family Residential District with Intensified Development on the Lots) Zoning District. The project proposal requests two standards variances: 1) a request to allow a four-foot garage setback, where 20-feet is required; and 2) a request to allow two tandem parking spaces for a total of four parking spaces. There would be no net loss in density as part of the project proposal. (District 3)

Application No. 2108-31 (SV21-004, SV21-006, LCDP21-043) and 2204-11 (APL22-004)

LONGBEACH DEVELOPMENT SERVICES

CITY OF LONGBEACH

BACKGROUND

- **February 28, 2022 –** The Zoning Administrator (ZA) heard the proposed item. The project was continued to provide exhibits for alternative garage configurations.

- **March 14, 2022 -** Due to technical difficulties at the ZA hearing, all scheduled agenda items were continued to the March 28, 2022.

- **March 28, 2022 -** The applicant provided three alternatives for ZA review and consideration. The ZA took action to approve the LCDP and two variances with added conditions.

- **April 6, 2022 -** A third-party appeal was filed.

Existing Conditions

VICINITY MAP

Zoning:

- R-2-I

General Plan (1989):

- LUD No. 2 (Mixed Style Homes)

LCP Area:

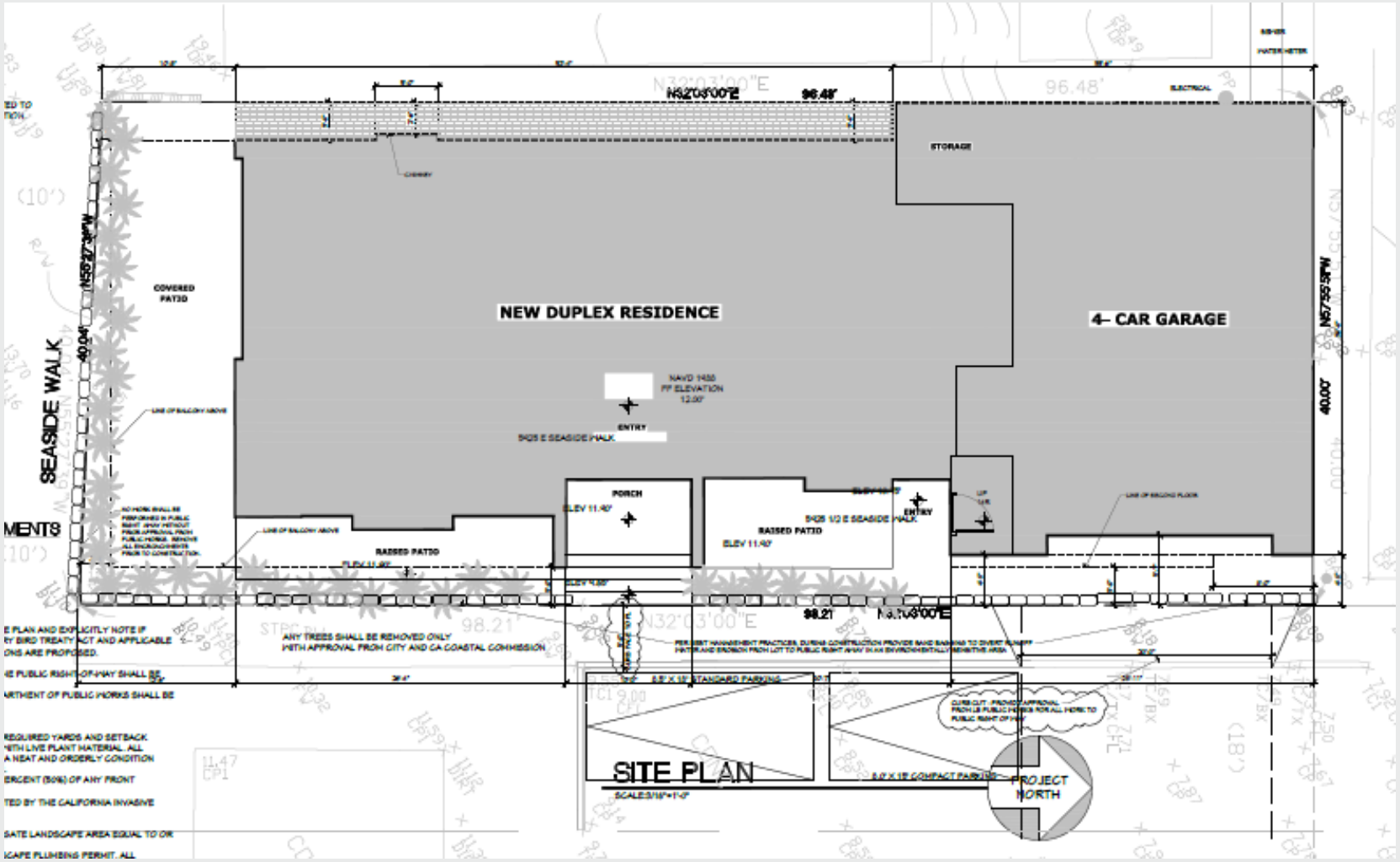
- Area E – Coastal Zone (Appealable)

Project site

PROJECT

- Local Coastal Development Permit for the:
  - Demolition of an existing duplex
  - Construction of a new residential duplex with an attached four-car garage
- A Standards Variance request to reduce required development standards in conjunction with the construction of the duplex. The requested code exceptions are as follows with the recommendations in the findings:
  - APPROVE - a request to allow a four-foot garage setback (where 20-feet is required) (SV21-004); and
  - APPROVE - a request to allow two tandem parking spaces for a total of four (4) parking spaces within an enclosed garage (instead of four [4] independently accessible parking spaces) (SV21-005).

SITE PLAN



LONGBEACH DEVELOPMENT SERVICES

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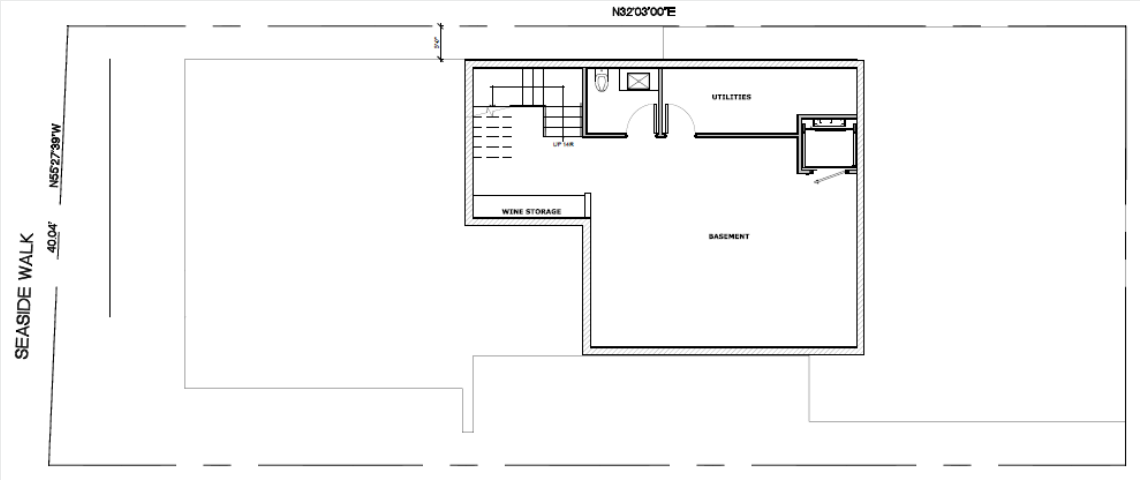
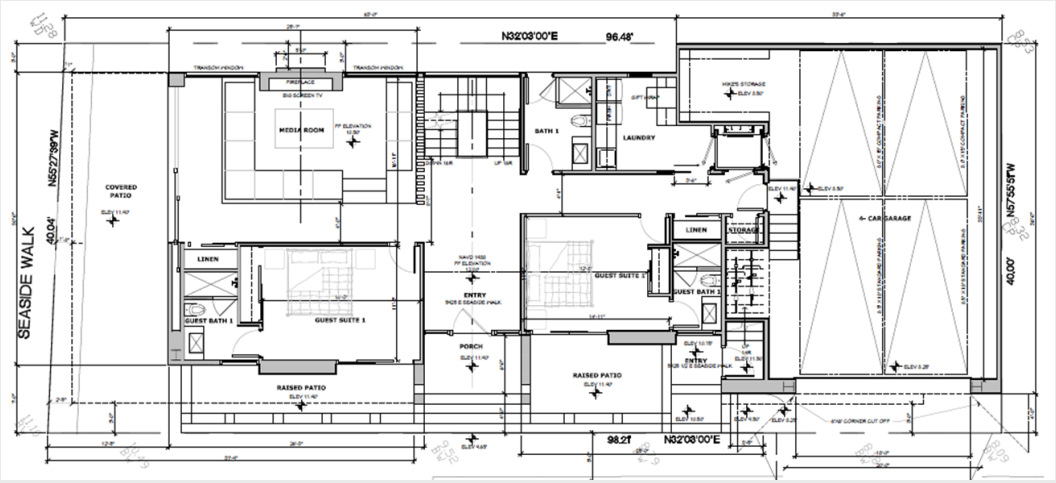
FLOOR PLAN

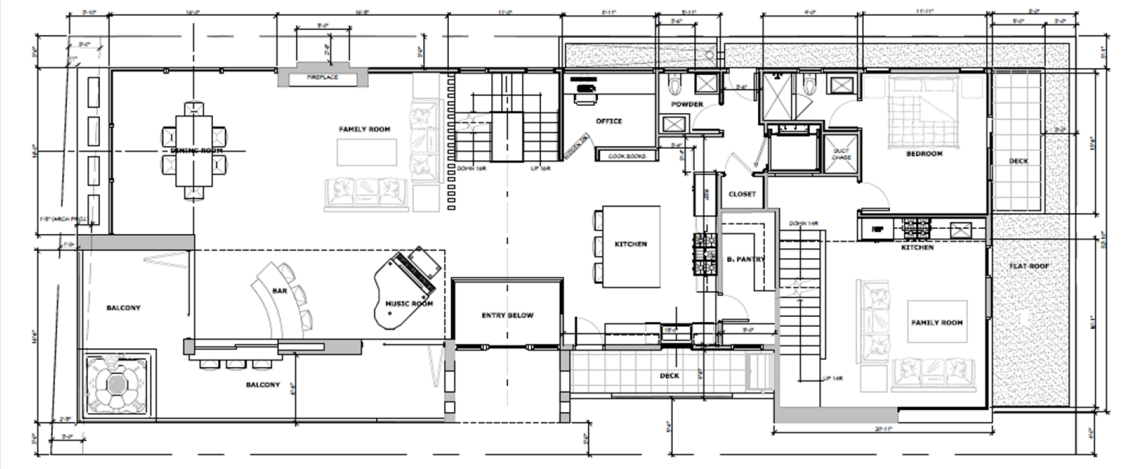
Basement



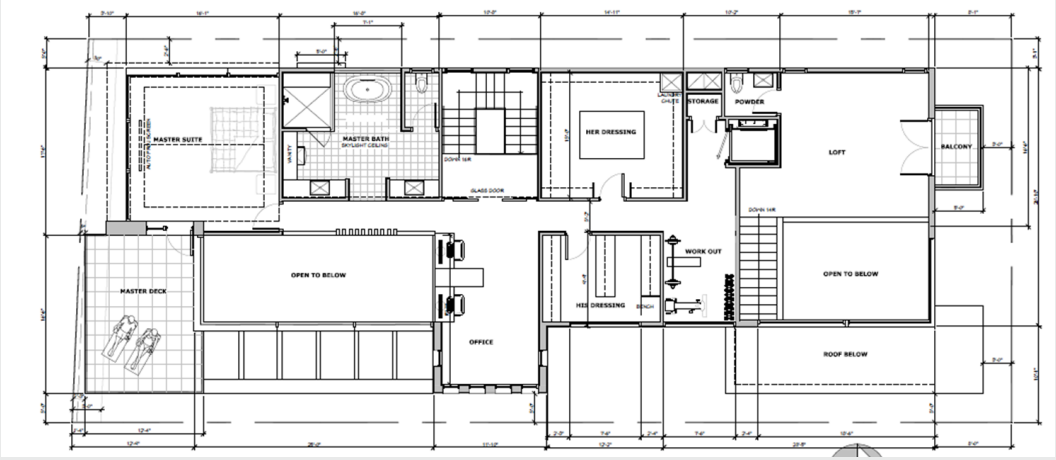
1st Floor



2nd Floor



3rd Floor



LONGBEACH DEVELOPMENT SERVICES

CITY OF LONGBEACH

ELEVATIONS

SOUTH ELEVATION
EAST ELEVATION

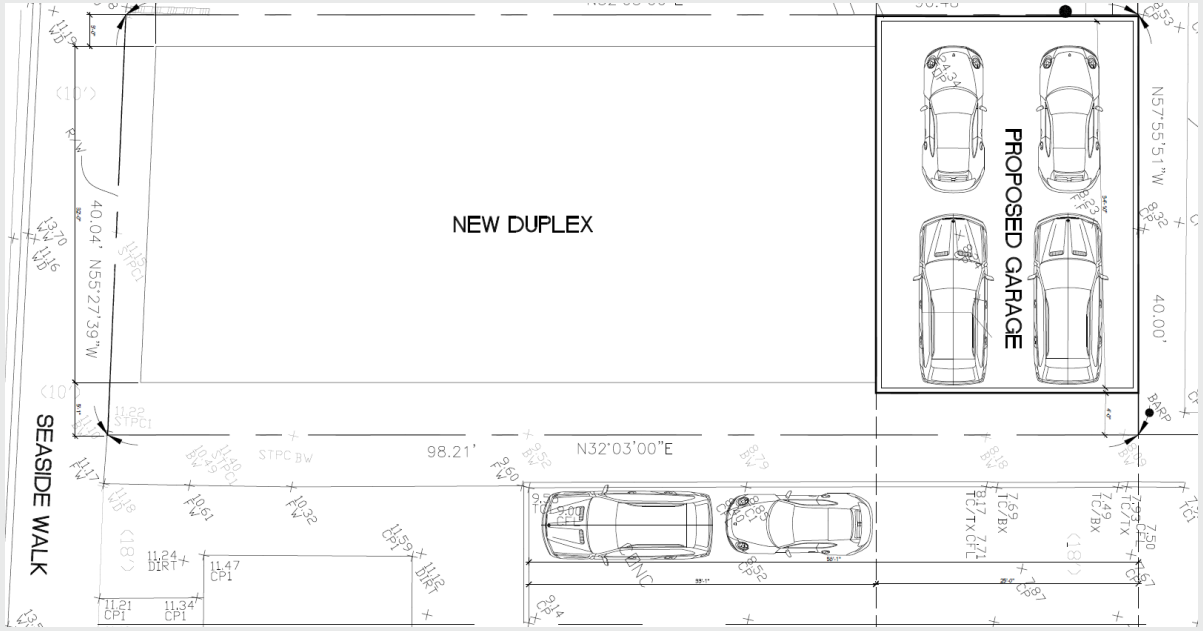
NORTH ELEVATION
WEST ELEVATION

STANDARDS VARIANCE

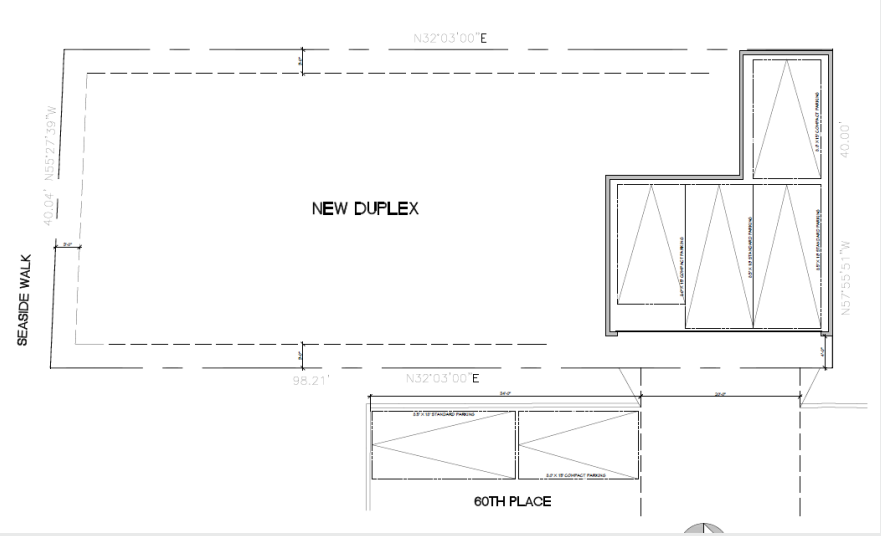
Zoning Requirements:

- Maximum Driveway Width = 20 feet
  - Meeting code requirements would require at least one standards variance at the subject site
- 20-foot garage setback when taking access from a public street

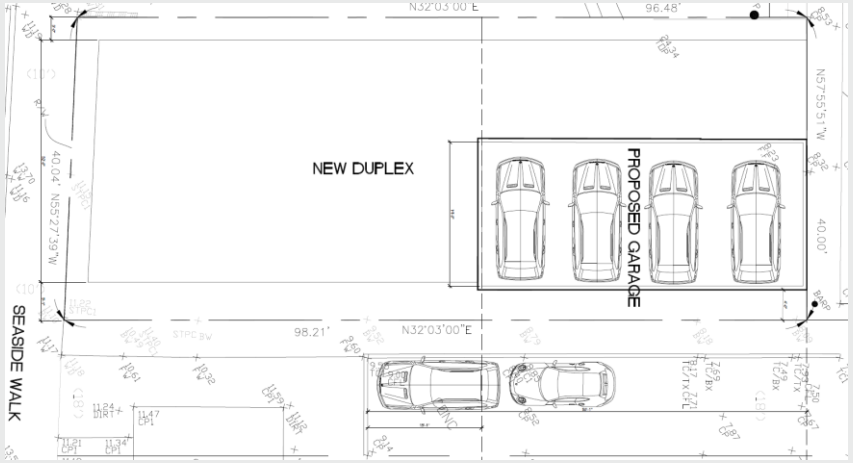
Proposed = 20 ft driveway/curb cut



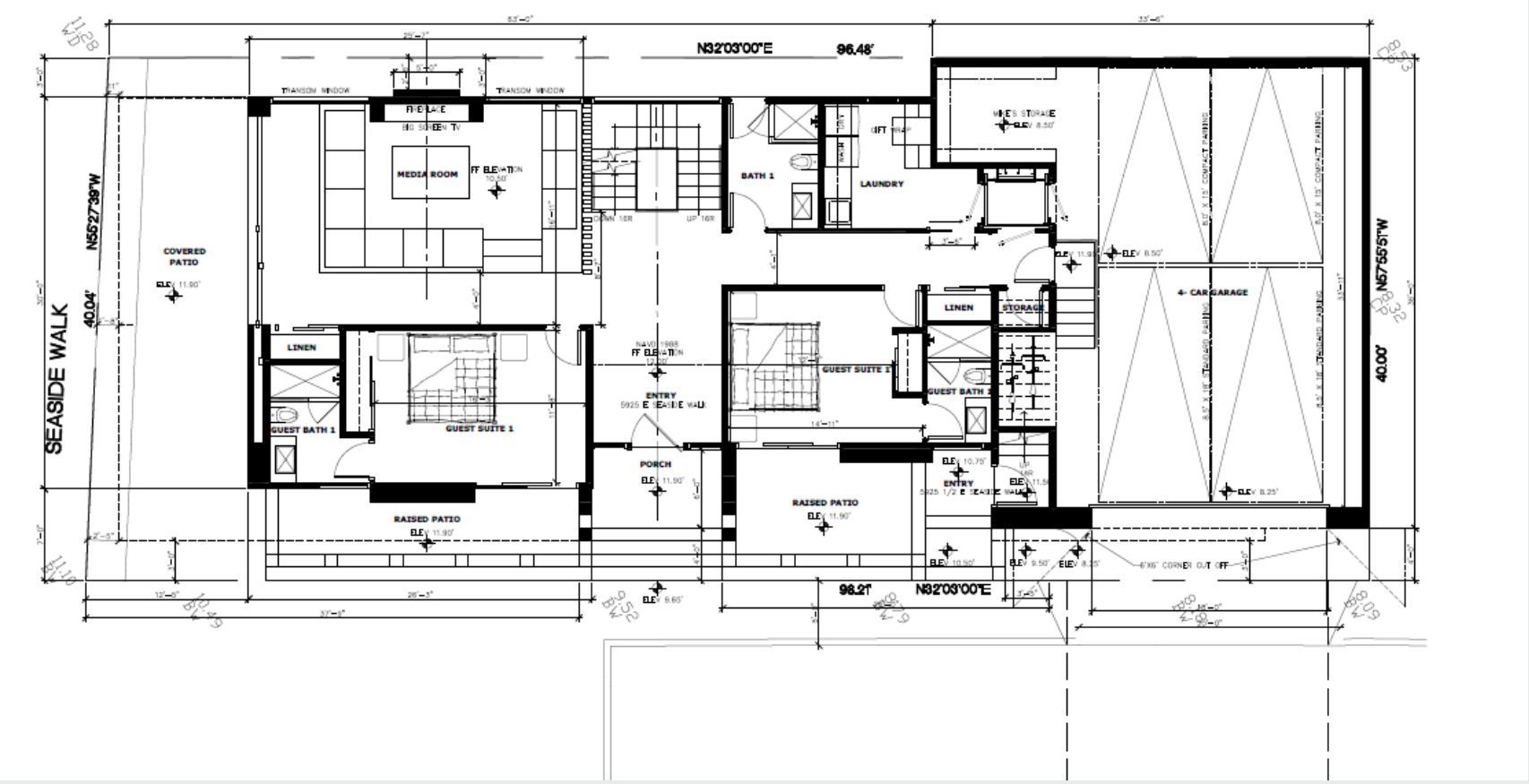
Alternative = 24 ft driveway/curb cut



Code Requirement = 32 ft driveway/curb cut



Alternative 1: Proposed Tandem Parking



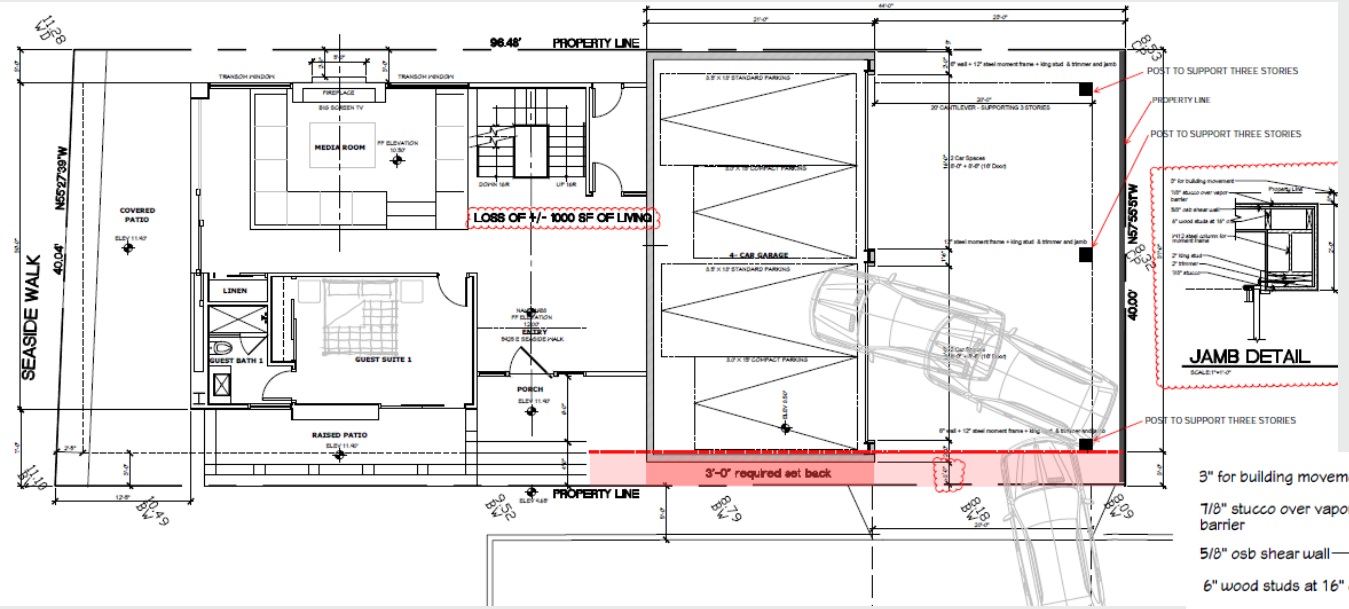
Parking Provided:

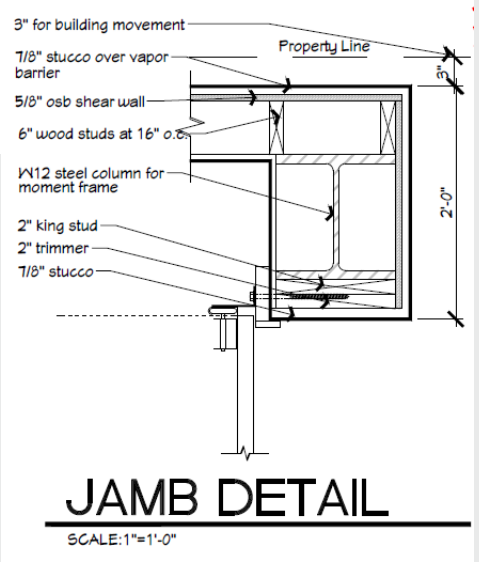
- 2 standard spaces
- 2 compact parking spaces

Standards Variances:

1. Driveway setback at 4 feet (20 feet required)
2. Tandem parking (Independently Accessible required)

Alternative 2: Side By Side (90 Degree) Parking





Parking Provided:

- 2 standard spaces
- 2 compact spaces

Standards Variances:

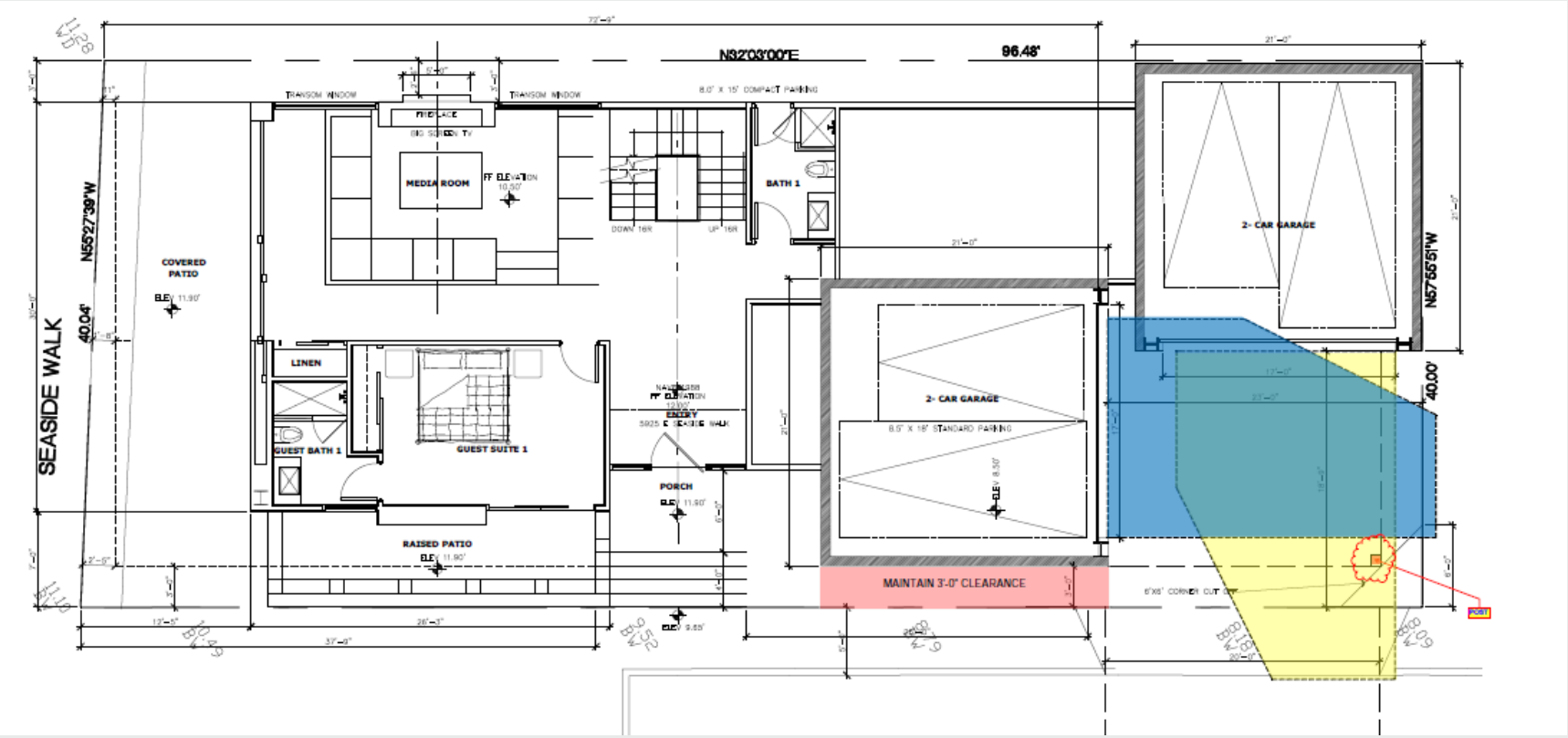
1. Encroaches in street setback (3 feet required)

16 ft (doors) x 2 =	**32 ft**
2 ft (steel/stud) x 2 =	**4 ft**
1-ft-6-in (steel/stud) x 1 =	**1-ft-6-in**
3-in (spacing) x 1 =	**3 in**
TOTAL =	**37-ft-9-in**
(Resulting in 2 ft 3 in)	

Notes:

- Loss of approximately 1,000 square feet of living space, including access to 2nd unit.
- Structural challenges with cantilever for building area above.

Alternative 3: Split 90 Degree Parking



Parking Provided:

- 2 standard spaces
- 2 compact spaces

Standards Variances:

1. Driveway setback at 18-ft-9-in (20 feet required)
2. Encroach in street side yard (to make feasible)

Notes:

- Structural challenges with cantilever for by right building area above.

Summary

Name	Number of Variances	Variance(s) Required	Notes
Code Required (Direct Access)	1	1. Curb Cut Width	• Loss of street parking space.
Alt 1: Tandem (Proposed Project)	2	1. Driveway Setback 2. Tandem Configuration	• No loss of street parking space.
Alt 2: Side by Side (90 Degree)	1	1. Street Side Yard Setback	• No loss of street parking space. • May not be structurally feasible.
Alt 3: Split 90 Degree	2	1. Street Side Yard Setback 2. Driveway Setback	• No loss of street parking space. • May not be structurally feasible.

STANDARDS VARIANCE

REQUIRED FINDINGS (LCDP)

- The proposed development **conforms to the certified local coastal program**, including but not limited to all requirements for replacement of low- and moderate-income housing; and
- The proposed development **conforms to the public access and recreation policies of Chapter 3 of the Coastal Act**.
- **For an application for a religious assembly use**, if an exception or waiver of LCP requirements is sought under Section 21.52.219.8.G, that the exception or waiver allows the minimum deviation from LCP requirements necessary to comply with RLUIPA, and that the decision maker has imposed all conditions necessary to comply with all provisions of the LCP, with the exception of the provision(s) for which implementation would violate RLUIPA.
- The proposed development is sited, **designed and managed to minimize the transport of pollutants by runoff into coastal waters and groundwater**, and to minimize increases in runoff volume and velocity from the site which may adversely impact coastal resources or coastal bluff stability. Best Management Practices shall be implemented, as applicable, including but not limited to applicable local, regional, state and federal water quality permits, standards and guidance provided in the LCP, best practices and other measures as may be recommended by the City Engineer.

REQUIRED FINDINGS (STANDARDS VARIANCE)

- The site or the improvements on the **site are physically unique** when compared to other sites in the same zone;
- The unique situation causes the applicant to experience hardship that **deprives the applicant of a substantial right to use of the property** as other properties in the same zone are used and will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purpose of the zoning regulations;
- The variance will not cause **substantial adverse effects upon the community**; and
- In the coastal zone, the variance will **carry out the local coastal program** and will not interfere with physical, visual, and psychological aspects of **access to or along the coast**.

EXHAUSTION OF OPTIONS

- Reduced Unit Size – The parking threshold per unit size is higher in the coastal zone. One of the units would need to be reduced to not more than 450 sq. ft. to achieve the 1 parking space requirement, which would be a reduction from the existing unit sizes present onsite.
- No Net Loss (Chapter 21.11 of the LBMC and SB 330) – This provision does not allow for the existing duplex density to be reduced in order to meet parking code requirements.
- ADU – The option to construct an ADU instead of a 2nd primary unit would not apply to achieve compliance without a standards variance for the following reasons:
  - No net loss requirements do not equate an ADU with a full dwelling unit in the interpretation of the Coastal Act.
  - The Peninsula area is outside the required ½ mile of transit, and therefore, would require a minimum of one parking space per stat regulations.
- SB 9 – Senate Bill 9 does not apply to properties zoned for multiple units (R-2-I).

CONDITIONS OF APPROVAL

- Maintain garage for the parking of vehicles.
- Acknowledgement that no encroachments are permitted in the public right-of-way.
- Construction staging plan
- Nesting bird survey
- Adherence to Best Management Practices (BMPs)
- Requirement to provide direct access from the garage into each unit
- Leasing documents for each unit include access to two tandem parking spaces

APPEAL

- A third-party appeal was filed on April 6, 2022.
- The appeal seeks denial for the request for tandem parking and that the project should be required to park four cars side by side.

CEQA AND NOTICING

The project has been determined to be Categorically Exempt under:

- Section 15303 (New Construction or Conversion of Small Structures)

Noticing was completed in accordance with Section 21.21 of the Municipal Code.

- Written and two verbal comments were received in response to the Zoning Administrator hearing. All previous commenters were included in the appeal noticing.
- No public comments have been received in response to the appeal noticing.

Thank you

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