



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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February 2, 2017

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Recommend that the City Council accept Categorical Exemption CE 16-340 and approve a Zoning Code Amendment to Table 31-2A, Residential Development Standards, of the Zoning Regulations (Title 21) related to front yard setbacks, side yard setbacks, lot mergers, and floor area ratio maximums in the R-1-L zoning district. (Los Cerritos - Virginia Country Club Neighborhood – District 8)

APPLICANT: City of Long Beach
Department of Development Services
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(Application No. 1602-50)

DISCUSSION

In September 2015, the City Council adopted an emergency ordinance initiating a one-year moratorium limiting certain residential construction and development activities in the R-1-L zoning district, a zone generally exclusive to portions of the Los Cerritos neighborhood north of Bixby Road, and properties abutting Virginia Country Club (Exhibit A – R-1-L Location Map). The moratorium was in response to concerns voiced by neighborhood residents about the ability of the current R-1-L development standards to maintain the neighborhood's existing development character, and limits new residential structures and new residential additions to fifteen-hundred (1,500) square feet. This threshold was chosen to allow for minor development but not those that may create adverse impacts that might be inconsistent with potential revisions being considered during the moratorium period. The one-year moratorium was enacted to allow the Department of Development Services and the Planning Commission time to study potential amendments to the R-1-L development standards in response to the neighborhood character concerns.

In August 2016, the City Council extended the moratorium through March 31, 2017, to give additional time for continued community engagement and analysis of potential revisions to the R-1-L development standards. City Council's directive to staff was to work with neighborhood residents, review the development standards, and make recommendations to the Planning Commission and City Council on possible revisions to the existing R-1-L development standards.

Zoning Regulations

Title 21 of the Municipal Code contains the City's Zoning Regulations. The regulations are intended to promote the General Plan and preserve the public health, safety, comfort, convenience, prosperity, and general welfare of the people of Long Beach. Contained within the Zoning Regulations are land use and development standards that apply to development within the City. Residential, commercial, industrial, and other zoning districts are established to create, preserve, and enhance areas of the City for these types of development. The Zoning Regulations include 19 residential zoning districts, each with their own unique purpose and set of development standards, which are found in Table 31-2A, Residential Development Standards. The table contains the development parameters for each lot including standards such as maximum number of units; minimum lot size and lot width for newly subdivided lots; front, side, and rear setback minimums; maximum building height; maximum lot coverage; a minimum open space requirement, and a maximum floor area ratio. These standards work in concert with one another to modulate building placement, building size, and building massing on a lot. All development proposals must comply with these standards for a building permit to be issued.

The R-1-L Zoning District

Of the City's 19 residential zoning districts, five are established for single-family development. Included among the five single-family residential zones is the R-1-L zone, the single-family residential zoning district for large lots. Per the Zoning Regulations, the R-1-L zone "recognizes the need for an open, uncrowded living environment within metropolitan centers." The zone's development standards reflect this description – it has the largest setbacks, highest open space requirement, and lowest lot coverage allowance of the City's single-family residential zones. The Land Use Element of the Long Beach General Plan describes the Los Cerritos – Virginia Country Club neighborhood as a "historic, old, low density, high quality residential area." In the portion of the neighborhood zoned R-1-L, homes are described as "large, estate-like of eclectic European and American architectural styles."

There are 647 properties within the R-1-L zone. All but 11 of these properties are developed with single-family homes. Properties in the zone range in size from 2,822 square feet to 47,165 square feet, with an average of 10,748 square feet of lot area. Home sizes in the zone range in size from 888 square feet to 8,477 square feet, with an average residence of 2,822 square feet. The average age of homes in the district is 75 years old.

Outreach and Analysis

From the onset of the moratorium, staff has engaged in a comprehensive review of the R-1-L development standards, existing neighborhood conditions, and neighborhood development history. Resources utilized during this effort include City building permit and entitlement records, County Assessor data, development regulations of other jurisdictions, the services of a consulting architect, and thematic maps of neighborhood characteristics produced by City GIS staff (Exhibit B – R-1-L Thematic Maps). Feedback from the community has also proved vital to staff's understanding of the neighborhood.

Following adoption of the moratorium Ordinance, staff met on a number of occasions with members of the Committee for Preservation of the Los Cerritos Neighborhood (CPLCN) and received from the group a set of specific amendment recommendations that addressed the development-related issues that were seen to be affecting the character and stability of the neighborhood. The recommendations were wide-ranging, targeting building setbacks, size and scale of developments, on- and off-site parking, kitchen and bedroom counts, and construction timelines. Staff used these recommendations as a basis for understanding the neighborhood's development issues and to set criteria for any potential code amendments. Any amendment would need to have the broad community interests in mind, balance the concerns of the community with the rights – and development expectations – of private property owners, and work within the established framework of Table 31-2A, Residential Development Standards, of the Zoning Regulations (Title 21) to ensure enforceability.

On September 28, 2016, the Planning Bureau hosted the first of two publicly-noticed neighborhood meetings. The meeting functioned as a listening session to allow staff to hear from the broader neighborhood of residents and property owners about what makes the Los Cerritos – Virginia Country Club neighborhood special and distinct from other neighborhoods. Participants praised the close-knit feel and neighborliness of the community, its open and airy environment, the diversity of home styles, and the balance between development sizes and property sizes. Staff also received feedback on the topics raised by the CPLCN. Input on the group's specific proposals, which included a cap on home sizes, decreases in allowable floor area ratio, the introduction of a plane of light setback, increases in front and side setbacks, an increase in the required number of on-site parking spaces, and limitations on kitchens and bedrooms, added to staff's understanding of the neighborhood's shared concerns. The importance of developments that are properly scaled to their lot and neighboring developments, and a call for awareness of the negative impacts building massing can have on streetscapes and adjacent developments, were among the common themes raised at the meeting.

Careful consideration of comments received from the CPLCN and community went into the creation of a set of R-1-L amendments that address the various development concerns expressed to the City. The proposed amendments were a measured response in acknowledgement that some of the existing R-1-L development standards would not safeguard the community from the types of development that can diminish neighborhood character. They addressed the areas of neighborhood concern, were in keeping with the structure of the zoning code, and mindful of the diverse interests of property owners.

At a second community meeting, held on November 9, 2016, staff presented the amendment recommendations detailed below. Reception to the amendments was mixed, with a significant portion of attendees in support of change, but not feeling the recommended amendments went far enough to protect the character of the neighborhood. Staff's proposed floor area ratio maximums, in particular, were felt to be too permissive. Staff has elected to proceed with the more moderate floor area ratio amendments, as proposed. These amendments were subsequently presented at a Planning Commission study session on December 1, 2016.

Amendment Recommendations

1) Front Yard Setback

The front yard setback is the distance from the front property line to the nearest exterior wall of a building. In the R-1-L zoning district, the required minimum front yard setback is 20 feet. Somewhat unique to properties in the R-1-L zone is the widespread presence of front yard special setbacks. These special setback lines supersede the zoning district's normal setback requirements (20 feet, in the case of R-1-L). Within Los Cerritos and the R-1-L zone these setbacks vary block-to-block and range in size from 25 feet to 50 feet, with 25 feet being the most common special setback. Staff proposes to increase the R-1-L zone's minimum front yard setback requirement to 25 feet. The increase would standardize the 25-foot special setback that's in place for much of the neighborhood and serve to limit development in the front yard area. With front yard areas typically the most visible open space on a given property, an increase in the minimum front yard setback would contribute to the open, spacious feel of the neighborhood.

2) Second Story Side Setback

The side yard setback is the distance from a side property line to the nearest exterior wall of a building. In the R-1-L zoning district, the required minimum side yard setback is six feet. The six-foot side yard setback requirement is standard throughout the R-1-L zone – it applies to interior lots, mid-block lots, as well as corner lots; it also applies to both first and second story construction. Under the existing R-1-L side setback regulations, neighboring two-story, 25-foot-tall homes could be built 12 feet apart, raising privacy issues, as well as decreasing the amount of available light and air. In recognition of the potential for negative impacts caused by this by-right development scenario, staff proposes the introduction of a second story side setback requirement for lots that exceed the R-1-L zone's 60-foot standard lot width. For those qualifying wide lots, a second story side setback of 15 percent of lot width, but not less than 10 feet, is proposed. Under the proposed standard, the second floors of adjacent two-story, 25-foot-tall homes on 79.4-foot-wide lots (the average lot width in the R-1-L zone) would be 23.8 feet apart. Adoption of a second story side setback for wider lots will reduce the presence of second floor building mass and increase privacy, light, and air.

3) Corner Lot Side Setback

As mentioned, the R-1-L zone's current six-foot side yard setback standard is the same for both interior lots and corner lots. In certain instances this standard has resulted in corner lot – lots that have two street frontages – developments that have a two-story building mass occurring within six feet of the adjacent sidewalk, negatively impacting the public realm. To protect the street edge and maintain a quality pedestrian experience, staff proposes an increase in the zone's minimum street side yard setback to 10 feet. This setback increase will limit the potential for "development canyons" that traditionally have not existed in the neighborhood.

4) Lot Mergers

The current subdivision standards for the R-1-L zone require newly subdivided lots to have a minimum lot size of 12,000 square feet. This is the largest minimum lot size requirement in the City's low-density (R-1 and R-2) residential zones and reflects the estate-like nature that the R-1-L zone intends for. While the R-1-L subdivision standards prescribe a minimum lot size, there is no corresponding maximum lot size. As a result, multiple lots can be merged to create single lots that are out of scale with the original subdivision pattern, a scenario which recently materialized in the neighborhood, prompting a significant community response. To limit the potential for new lots that significantly exceed the sizes of existing lots, and the potential for ensuing developments that are out of scale with the existing neighborhood development, staff proposes to limit lot mergers to no more than two lots. Additionally, staff proposes to limit lots created through a land subdivision or lot merger to no greater than 20,000 square feet. Of the zone's 647 residential properties, 44 (7 percent) measure greater than the proposed 20,000-square-foot lot size cap. Incorporation of these additional standards will limit the potential for newly created lots that are out of scale with surrounding properties and safeguard against subsequent developments on merged lots that are out of scale with existing neighborhood development.

5) Floor Area Ratio

Floor Area Ratio (FAR) is the numerical value obtained by dividing the gross floor area of a building or buildings on a lot by the total area of the lot. FAR is the common – and arguably best – measure for regulating building massing on a site. Using FAR, the maximum building size varies depending on the size of the lot. For example, the FAR value for a 3,000-square-foot home on a 6,000-square-foot lot would be .50 (3,000-square-foot home / 6,000-square-foot lot area = .50). Per the Zoning Regulations, basements, outdoor decks and balconies, and garage area up to 600 square feet are exempt from the FAR calculation for single-family developments. The current maximum FAR for all R-1-L lots, regardless of their size, shape, or location, is .60. Since 1984, only one new development has been constructed with a floor area ratio over .50.

Staff proposes to reduce the maximum allowable FAR for all properties in the R-1-L zone, as follows:

Lot Size	Current FAR Maximum	Proposed FAR Maximum	Percent Change in Allowable GFA	Number of Affected Properties	Number of Properties Rendered Nonconforming
0-15,000 sq. ft.	.60	.50	-17%	553 (85%)	24 (4%)
15,000+ sq. ft.	.60	.40	-33%	94 (15%)	3 (3%)

The proposed reductions in floor area ratio strike a balance between private property rights and community interests, and will limit future homes to a scale closer to the historic build-out of the neighborhood. Furthermore, the reductions limit the number of nonconforming developments to a minimum.

Staff recommends that the Planning Commission recommend that the City Council approve Zoning Code Amendment No. 1602-50 to amend portions of Table 31-2A related to the R-1-L Zoning District. Should the Planning Commission recommend City Council approval of these amendments, staff will present the amendments at a City Council public hearing in March 2017, prior to expiration of the moratorium.

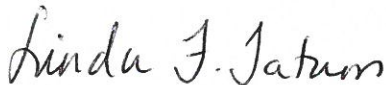
PUBLIC HEARING NOTICE

Public hearing notices were published, distributed, and posted in accordance with the Municipal Code. A public hearing notice was published in the Long Beach Press-Telegram on January 16, 2017, public hearing notices were mailed to all owners and tenants of R-1-L zoned properties and all City libraries, and three public hearing notices were in the Los Cerritos – Virginia Country Club neighborhood.

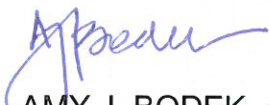
ENVIRONMENTAL REVIEW

This project qualifies for a categorical exemption per Section 15305 of the California Environmental Quality Act Guidelines (Exhibit D – Categorical Exemption CE 16-340).

Respectfully submitted,



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LFT:mh

Attachments: Exhibit A – R-1-L Location Map
 Exhibit B – R-1-L Thematic Maps
 Exhibit C – Proposed Table 31-2A Amendments
 Exhibit D – Categorical Exemption CE 16-340