

FINDINGS

Maintenance of Low-Income Housing in the Coastal Zone – In-Lieu Fee Zoning Code Amendment (ZCA)

Application No. XXXX-XX (ZCAXX-XXX)

October 1, 2020

The Long Beach Municipal Code (LBMC) does not require specific findings for the adoption of a Zoning Code Amendment. The proposed Zoning Code Amendment, however, is consistent with state law and guidelines and applicable elements of the City's General Plan; will not adversely affect the character, livability, or appropriate development of the City; and is in conformity with public necessity, convenience, general welfare, and good planning practice. The City of Long Beach makes these findings in support of its adoption of the proposed Maintenance of Low-Income Housing in the Coastal Zone – In-Lieu Fee Zoning Code Amendment.

The Zoning Code Amendment is consistent with objectives, principles, and standards of the General Plan. The Zoning Code Amendment (ZCA) would not conflict with the City's General Plan, the 2010 Strategic Plan, local coastal program, or any other applicable land use plans and policies. The ZCA involves updating the in-lieu fee schedule contained in LBMC 21.61 – Maintenance of Low-Income Housing in the Coastal Zone, to match the full financial gap associated with the construction of deed-restricted affordable housing units. The ZCA is consistent with goals, policies, and strategies in the existing Land Use Element (LUE), Housing Element (HE), and Local Coastal Act (LCP) of the General Plan. Additionally, the ZCA is consistent with the 29 policies adopted by the City Council as part of the 2017 Revenue Tools and Incentives for the Production of Affordable and Workforce Housing, specifically Policy 2.3 which directs staff to conduct a financial analysis and nexus study to review the viability of the Coastal Zone In-Lieu Fee (LBMC 21.61) and consider revisions to the fee structure.

The proposed Zoning Code Amendment will not adversely affect the character, livability, or appropriate development of the City, and is in conformity with public necessity, convenience, general welfare, and good planning practice. As the City's current zoning code has not been substantively updated since 1989, there are many sections of the current code that maintain outdated standards, regulations, and references that affect quality of life in the City and inhibit good planning. The existing ordinance requires projects that result in the demolition of lower-income units to be replaced on an one for one basis, but the fee schedule in Table 61-1, adopted in 1988, has not kept pace with the cost of constructing affordable housing since then. As a result, the in-lieu fee option has become comparatively more attractive than on-site replacement, and these in-lieu fees collected are insufficient to assist in the construction of an equivalent number of replacement units. The proposed change will respond to a community need for affordable housing and a diverse housing stock and is consistent with good planning practice as it furthers the public interest to promote development and investment that is consistent with the General Plan.

The proposed Zoning Code Amendment is consistent and compliant with the California Environmental Quality Act. No adverse environmental impacts are expected as a result of the proposed action. The proposed ordinance only modifies the in-lieu fee schedule to match the full financial gap associated with the construction of affordable replacement housing units in the Coastal Zone. The proposed ordinance does not change the height, intensity of land use, or allowable land uses currently permitted by the underlying zoning and therefore does not result in an increase in overall development nor impact the scale or character of affected areas. In accordance with the California Environmental Quality Act (CEQA) and the CEQA guidelines, this ZCA is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15305 (Class 5 – Minor Alterations to Land Use Limitations) of the CEQA Guidelines, and none of the exceptions in 15300.2 apply. The ZCA is further exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15061(b)(3) (Common Sense Exemption), as it will not result directly or indirectly in significant environmental impacts. (CE20-090);