

FINDINGS

Enhanced Density Bonus Code Zoning Code Amendment (ZCA)

Application No. 2012-25 (ZCA20-017)

June 17, 2021

The Long Beach Municipal Code (LBMC) does not require specific findings for the adoption of a Zoning Code Amendment. The proposed 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 Enhanced Density Bonus (EDB) - 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 purpose of the proposed code amendments is to facilitate the development of housing units to help meet the City's Regional Housing Needs Assessment (RHNA) by establishing an enhanced density bonus incentive program that offers a density bonus and development concessions in exchange for the provision of on-site, deed-restricted, very low-, low-, or moderate-income units. The ZCA is consistent with goals, policies, and strategies in the Land Use Element (LUE), Housing Element (HE), and Mobility Element (ME) of the General Plan by facilitating and incentivizing a range of housing units Citywide, including affordable housing, with a focus on locating housing near transit. The Project is designed to implement both the LUE and HE by helping to address the existing and forecasted need for housing in the City and to help meet the 26,502 housing unit RHNA allocation for Long Beach as part of the 6th cycle Housing Element update.

Overall, the Project does not introduce uses that are materially different from those otherwise permitted in the respective PlaceTypes or zoning districts. The Project would allow for mixed-use or wholly residential development projects in zoning districts that allow such uses. While the Project may change allowable density, intensity, or height on individual development sites, overall total development levels and numbers of housing units are not anticipated to exceed those contemplated Citywide under the 2019 LUE. The Project includes a clause that the Enhanced Density Bonus Ordinance would sunset if any of these conditions are met:

- On October 1, 2030 unless extended by City Council
- The City fulfills its 6th Cycle RHNA requirements for Very Low, Low and Moderate-Income Units.

Furthermore, the General Plan LUE includes implementation measure LU-M-25 to amend the Zoning Regulations to include flexible standards targeted for infill development. LUE Measure LU-M-26 also supports amendment of Title 21 of the Municipal Code to allow

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higher density development and new infill opportunities. The EDB ordinance is also consistent with the following General Plan policies:

Land Use Element (LUE)/Urban Design Element (UDE) policies:

- LU Policy 1-2: Support high-density residential, mixed-use and transit-oriented development within the downtown, along transit corridors, near transit stations and at neighborhood hubs;
- LU Policy 12-1: Allow a variety of housing types in new residential developments with the goal of establishing new opportunities for persons of varied income ranges, ages, lifestyles and family needs;
- LU Policy 12-2: Encourage the provision of housing opportunities, services, and amenities for all income levels, age groups, and household types, with opportunities to age in place;
- LU Policy 13-1: Promote an equitable distribution of housing types for all income and various cultural groups throughout the City; avoid creating concentrations of below-market-rate housing in underserved and low-income neighborhoods.
- LU Policy 13-2: Provide new housing opportunities in neighborhood-serving centers and corridors, within transit-oriented development areas and downtown; and
- Policy UD 14-2: Acknowledge transitions between commercial and residential uses by requiring new development in higher-density centers and corridors to transition in height, massing, scale, and intensity in a thoughtful way to provide a buffer to lower density residential development.

This proposed ZCA supports planning and zoning best practices, builds upon existing studies, and provides another strategy to facilitate housing production to address the housing crisis. The ZCA is an early implementation measure of the 6th Cycle Housing Element Update and will help fulfill the City's 6th Cycle RHNA allocation. Additionally, the proposed ZCA is intended to help make progress toward Goal #4 in the current Housing Element, which is to provide increased opportunities for the construction of high quality housing. The ZCA specifically will implement Policy 4.2, which encourages a balance of rental and homeownership opportunities, including high quality apartments, townhomes, condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community...; Policy 4.5, which encourages residential development along transit corridors, in the downtown and close to employment, transportation and activity centers; and encourage infill and mixed-use developments in designated districts. Lastly, the ZCA is consistent with principles contained in the Mobility Element that support "complete neighborhoods" in which daily destinations are within walkable or bikeable distance (ME, p. 7).

The ZCA also builds upon policy recommendations adopted by City Council on May 2, 2017 that were prepared by the Affordable and Workforce Housing Study Group, appointed by the Mayor, to address the affordable housing crisis in the City, as well as

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the Everyone Home Long Beach¹ report, which City Council received and filed in December 2018. These zoning code changes respond to this identified need and do so with zoning tools that provide incentives while respecting community context through implementation of policies from the Urban Design Element (UDE) of the General Plan, including Policy UD 14-2 which calls for new development in higher-density centers and corridors to transition in height, massing, scale, and intensity in a thoughtful way to provide a buffer to lower density residential development. Additional General Plan policies that the ZCA is consistent with can be found in the staff report for the ordinance. Lastly, the proposed EDB helps implement the City's Climate Action & Adaptation Plan (CAAP), by providing incentives to focus the greatest amount of housing near high-quality transit and jobs to reduce emissions associated with automobile usage.

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. The City of Long Beach adopted the State density law in 1988, with a most recent local update in 2006, to provide density bonuses consistent with the State Density Bonus Statute for projects that include lower income housing, moderate income condominiums, and housing for seniors and disabled residents. The State Density Bonus has only been used a few times in the past two decades due to regulatory and physical constraints and has proven to be ineffective in generating affordable housing as a component of market-rate development.

The proposed Enhanced Density Bonus project involves amendments to the City's Municipal Code, primarily to Title 21 (Zoning Ordinance) to establish regulations to allow a "bonus" of increased density, development standard concessions, and other incentives in exchange for increased levels of affordable housing and other desired services such as on-site childcare, in order to facilitate the development of mixed-income, multifamily housing Citywide, with increased density bonuses and incentives focused in high quality transit areas. This is consistent with planning best practices for facilitating needed housing to address the welfare of the community and focusing housing near transit and jobs to reduce carbon emissions associated with transportation. EDB projects would be subject to the Site Plan Review process to ensure compatibility with the surrounding neighborhood. This code amendment is designed to help address a well-documented community need for affordable housing and the need for a diverse housing stock. The change is consistent with good planning practice and 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 (CEQA). No adverse environmental impacts are expected as a result of the proposed action. The project involves legislative changes; no development project is contemplated at this time. Although the proposed Project could result in larger individual projects than if the proposed Project were not in place, the total increase in development Citywide under the proposed Project has already been contemplated in the recently updated General Plan Land Use Element (LUE), adopted in

¹ <https://www.longbeach.gov/globalassets/everyone-home-lb/media-library/documents/news/everyone-home-lb-task-force--recommendations-sm-file>

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2019. The LUE anticipated buildout contemplated 28,524 housing units, the impacts of which were already analyzed in the Program Environmental Impact Report (EIR) for the LUE. The EDB sunset clauses described in the Project's Administrative Procedures would take effect if the City were to meet its 6th Cycle RHNA housing unit allocation of 26,502 housing units, or by 2030, whichever comes first. Therefore, the scope of development that these incentives may help facilitate does not exceed that which is already contemplated by the recently adopted General Plan LUE Update.

Through implementation of the City's regulatory framework, including the LUE and its companion UDE, any future discretionary project facilitated by the EDB ordinance would include project-specific conditions of approval that minimize its impact on surrounding areas. Subsequent development projects facilitated by the EDB may also have to undergo their own environmental review, as required pursuant to CEQA.

Pursuant to CEQA and the State CEQA Guidelines, an Initial Study/Negative Declaration (IS/ND-08-20, has been prepared for the project and finds that the project will not result in significant effects to the environment.