

July 15, 2021

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**RECOMMENDATION:**

Accept Categorical Exemption CE20-101 and approve a Tentative Parcel Map (TPM20-007) and Standards Variance (SV21-003) to subdivide an existing 4,500-square-foot parcel into two separate 2,250-square-foot lots located at 224-230 Sunset Street, in the R-1-N (Single Family Residential District with Standard Lots) Zoning District and approve a Final Parcel Map Waiver pursuant to LBMC Section 20.12.140. (District 8).

APPLICANT: Abdul Hoque  
3924 California Avenue  
Long Beach, CA 90807  
(Application No. 2008-33)

**DISCUSSION**

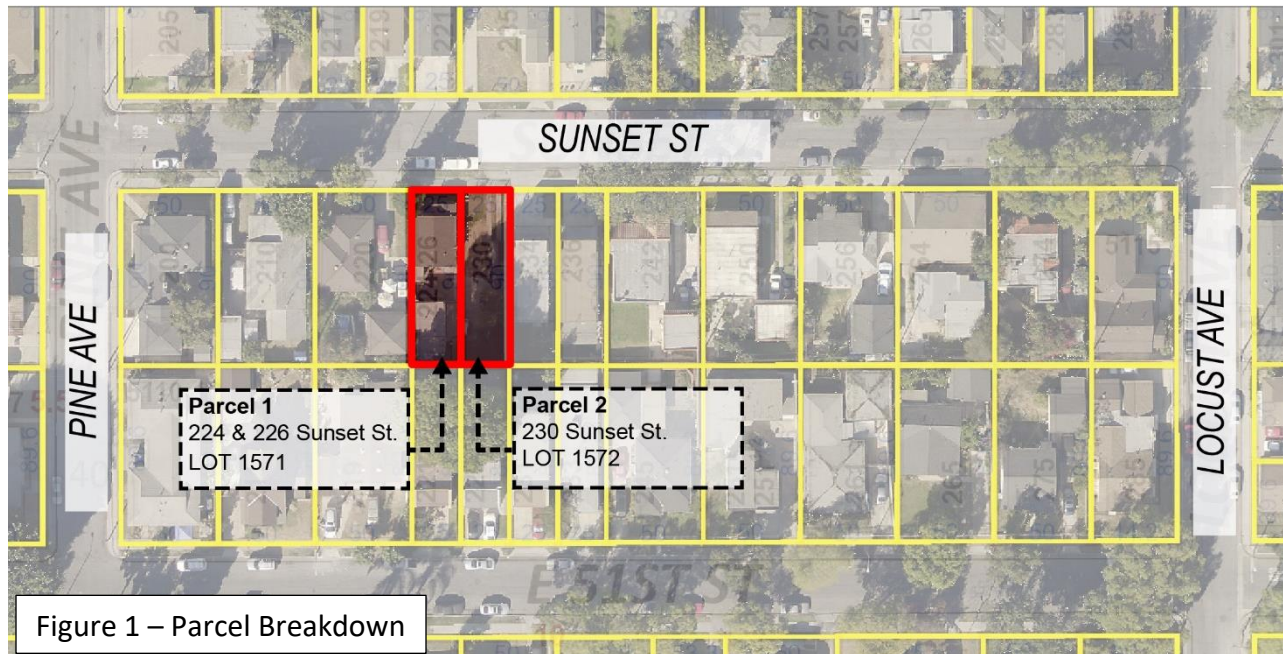
The site is located on the south side of Sunset Street, between Pine Avenue to the west, and Locust Avenue to the east (Attachment A - Vicinity Map). The site is located in the R-1-N Zoning District (Single Family Residential District with Standard Lots) and has a General Plan Land Use PlaceType of Founding and Contemporary Neighborhood (FCN). The surrounding land uses include residential uses, which are also zoned R-1-N. The site is currently developed with two detached residential units and two, two-car garages. The westerly side of the lot is developed with a 360-square-foot two-car garage in the front half and a detached, 416 square-foot, single-story, single-family home at the rear. The easterly side of the lot includes a two-story, 1,350-square-foot single family dwelling with an attached two car garage.

**BACKGROUND**

The project site is one of 605 lots located in Tract No. 5134I, which were originally subdivided in 1923. A majority of the lots are of similar shape and size, with the exception of 29 lots. The typical lot size within this Tract is 2,250-square-feet and has a lot width of 25-feet and



a lot depth of 90-feet (Attachment B - Tract Map No. 5134). The site address is 224-226 Sunset Street (Lot 1571) and was originally developed with a single-family home towards the rear half of the lot in 1934. A permit was later issued to construct an additional detached single-family home within the front half of the lot, which received a Certificate of Occupancy in 1952 (Figure 1).



In 1991, the City processed a lot merger on this property. Upon approval, a lot merger was filed with the Los Angeles County Recorder's Office on April 6, 1991, to merger Lots 1571 and 1572 into a single 4,500-square-foot parcel (Attachment C - 1991 Lot Merger). Despite the recordation of the lot merger, the change was not reflected on the Assessor's Parcel Map, Assessor's records or City Records and two separate lots continued to be shown on the Assessor's map (Attachment D - Assessor's Map).

On March 31, 2014, an entitlement for a Site Plan Review (Case No. 1311-09) for improvements on two narrow 25-foot wide lots was filed and ultimately approved by the Site Plan Review Committee on April 30, 2014. Approval of this project included the construction a new 1,350-square-foot single-family dwelling with an attached two-car garage on the vacant lot (Lot 1572). The proposed project under the 2014 application also included the conversion on the front dwelling unit into a 360-square-foot two-car garage on Lot 1571. The removal of the dwelling unit resulted in one, single-family dwelling on each lot, consistent with R-1-N development standards.

Based on this approval, the applicant subsequently filed and obtained a building permit (BNEW165219) on August 29, 2014 and begun construction of the new dwelling unit with the intent to sell the lot. The applicant also filed for a building permit (BRMD187185) for the conversion of the front dwelling unit into a two-car garage, which was issued on February 5,

<sup>1</sup> Government Code Section 65852.2 pertaining to accessory dwelling units which became effective on January 1, 2017.

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2016 (Attachment E - Building Permit Plans). The project was constructed, and a Certificate of Occupancy was later issued on February 12, 2016 (BNEW165219) for the development of the new two-story, single-family dwelling with an attached two car garage on Lot 1572, (230 Sunset Street) in relation to Application No. 1311-09. Following the issuance of the certificate of occupancy, the City became aware from the applicant that a lot merger on the two lots was filed with the Los Angeles County Recorder's Office on April 6, 1991, creating a 4,500 square foot parcel. This lot merger was not reflected on any City or County records at the time Application No. 1311-09 was approved. This finding resulted in the creation of a non-conforming condition as the property had two detached single-family dwellings on one parcel, which is over the density allowance in the R-1-N zoning district. This project was submitted and completed prior to State Law pertaining to accessory dwelling units, which allowed an additional dwelling unit on a single lot in addition to the principal structure.<sup>1</sup>

### TENTATIVE PARCEL MAP

To align the parcels with the site plan review approval and the building permits issued by the City, a Tentative Parcel Map has been requested by the applicant to re-subdivide the existing parcel into two separate parcels (Attachment F - Tentative Parcel Map No. 83291). This project also includes exceptions to this Tentative Parcel Map and the waiver of a Final Parcel Map. The subdivision will result in two separate parcels: Lot 1 (Lot 1571) - a 2,250 square-foot (25 feet by 90 feet) parcel, and Lot 2 (Lot 1572) - a 2,250 square-foot (25 feet by 90 feet) parcel. Lot 1 would be developed with a 360-square-foot two-car garage in the front half of the lot with a detached, 416 square-foot, single-story, single-family home at the rear of the lot. Lot 2 includes a two-story, 1,350-square-foot single family dwelling with an attached two car garage. Both lots as proposed front Sunset Street, a local street which has a street width of 50 feet, where a 36-40-foot roadway width is required in the Mobility Element of the General Plan

In order to grant approval of the Tentative Parcel Map (TPM20-007), the Planning Commission must find the proposed action to be consistent with the requirements of the Long Beach Municipal Code (LBMC) Title 20 – Subdivision Regulations. A Tentative Parcel Map can be approved by the Planning Commission when positive findings can be made regarding compliance with the General Plan and Specific Plan. The subject site has a General Plan Land Use PlaceType of FCN which is the designation for low density residential neighborhoods that include single family areas. The PlaceType allows for an average density of 7-18 dwelling units per acre. Within the block along the south side of Sunset Street between Pine Avenue to the west, East 51<sup>st</sup> Street to the south and Locust Avenue to the east, there are approximately 15 dwelling units within an acre including the proposed lots. The lot sizes within the acre range from 2,250-4,500-square-feet in size and the lot width among the 14 lots within the acre range from 25-50 feet. Thus, the overall density within this area is consistent with the average density contemplated by the FCN PlaceType. Approval of this tentative parcel map is also consistent with the requirements of the General Plan as it creates additional home ownership opportunities (Attachment G – Findings). This subdivision is consistent with Housing Element Policy 4.2, which “encourages the balance of rental and homeownership opportunities, including high quality apartments, townhomes,

<sup>1</sup> Government Code Section 65852.2 pertaining to accessory dwelling units which became effective on January 1, 2017.

condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community, including large families.”

Additional findings include requirements that the site be physically suitable for the proposed density of development, and that the design of the subdivision not threaten public health or safety, or conflict with easements acquired by the public at large. Regarding the physical suitability of the site, this project is located within the R-1-N zone which has a density standard of one dwelling unit per lot. In the R-1-N Zoning District, the minimum required lot size is 6,000 square-feet with a minimum lot width of 50-feet. Although the two proposed lots within this tentative parcel map do not meet the minimum lot size or lot width of the R-1-N zoning district, allowing the subdivision of this property would eliminate the nonconforming density created, as the site currently has two principal dwelling units on one lot, which only allows one principal dwelling per parcel. This action additionally requires the approval of a Standards Variance (discussed below) as permitted by LBMC Section 21.25.301. The subdivision would also be consistent with the original subdivision and consistent in character with the lot size and configuration of the surrounding area. The surrounding properties along this block are also developed primarily with single-family homes and do not exceed the current density allowed for this zone, with the exception of a few existing, legal nonconforming two-family developments in the area.

Ultimately, the subdivision would be consistent with the lot size, width and depth of original subdivision (Tract 5134) which has a typical lot size of 2,250-square-feet and a lot width of 25-feet and a lot depth of 90-feet and return the lots to their historic size and configuration. The subdivision would also be consistent with the allowable density per lot and the average density per acre contemplated by the General Plan and the development pattern in the vicinity. The lots as developed were subject to the City’s narrow lot development standards, Site Plan Review findings, and the R-1-N development standards for Application No. 1311-09 granted on April 10, 2014. The Site Plan Review process for narrow lots less than 27-feet in width are subject to a Site Plan Review for the purpose of ensuring the development: 1) does not reduce light and air to neighboring properties; 2) minimizes curb cuts and the development of front yard areas with driveways; 3) minimizes the loss of privacy on adjacent properties; 4) maximizes the window area from primary rooms facing on the street; and 5) maintains quality residential development. As this project does not require any easements, nor proposes any physical changes to the existing structures located on both proposed parcels, staff does not anticipate any public health or safety issues. Positive findings have been made meeting the requirements pertaining to physical compatibility, density, environmental effects and public health and safety. Moreover, the current property owner is unable to sell the recently developed two-story, single-family home that has received a Certificate of Occupancy in February of 2016 under Building Permit No. BNEW165219 as was intended.

Additionally, a Standards Variance has been requested to allow a reduction in the lot size and width of the subdivided lots, which will vary from the lot size and width (50 feet wide and 6,000 square feet, respectively) required in the R-1-N (Single Family Residential District with Standard Lots) Zoning District and will instead result in two lots that are each 25 feet wide and have a total lot area of 2,250 square feet. In order to grant a variance for exceptions to

<sup>1</sup> Government Code Section 65852.2 pertaining to accessory dwelling units which became effective on January 1, 2017.

the lot size and width of the lots that are created as a result of the proposed Tentative Parcel Map, the project is required to make the findings as set forth in the LBMC. Pursuant to Section 21.25.306 of Title 21 – Zoning Regulations, conformance with all the requirements has been established, specifically conformance with the lot width and lot size of the zoning, would impose unnecessary hardship on the subdivider as the lot merger was not accurately shown on maps with the Los Angeles County Recorder's Office on April 6, 1991, and subsequent City approvals (Application No. 1311-09 and Building permits) were granted for development of the lots on the basis that the lots were two separate, subdivided lots.

Furthermore, to allow the wavier of the recordation of a Final Parcel Map, positive findings must also be met pursuant to Section 20.12.140 in Title 20 – Subdivisions in the LBMC. The project as proposed, is not expected to cause any impacts to public health, safety or welfare, does not require any additional dedications or public improvements, is under four (4) lots, and does not include a condominium conversion.

Staff therefore recommends that the Planning Commission approve Tentative Parcel Map No. 83291, accept the exceptions for this Tentative Parcel Map, and waive the requirement of a Final Parcel Map, subject to Conditions of Approval (Attachment H - Conditions of Approval).

### **PUBLIC HEARING NOTICE**

A total of 128 public hearing notices were distributed June 28, 2021 in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. At the time of writing this report, staff has received no comments in response to the hearing notice.

### **ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, the project is exempt per Section 15061(b)(3)(Review of Exemption) as the project consists of the subdivision of an existing parcel to create two lots, which will have no significant impacts to the environment. (CE 20-101).

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Respectfully submitted,



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SERGIO GUTIERREZ  
PROJECT PLANNER



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ALEXIS OROPEZA  
CURRENT PLANNING OFFICER



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PATRICIA A. DIEFENDERFER, AICP  
PLANNING BUREAU MANAGER



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CHRISTOPHER KOONTZ, AICP  
DEPUTY DIRECTOR OF  
DEVELOPMENT SERVICES



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OSCAR W. ORCI  
DIRECTOR OF DEVELOPMENT SERVICES

OO:CK:PAD:AO:sg

Attachments:

- Attachment A - Vicinity Map
- Attachment B - Tract Map No. 5134
- Attachment C - 1991 Lot Merger
- Attachment D - Assessor's Map
- Attachment E - Building Permit Plans
- Attachment F - Tentative Parcel Map No. 83291
- Attachment G - Findings
- Attachment H - Conditions of Approval

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