

**CALIFORNIA COASTAL COMMISSION**

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# F14a

April 21, 2017

**TO:** Commissioners and Interested Persons

**FROM:** Steve Hudson, Deputy Director  
Charles Posner, Supervisor of Planning  
Zach Rehm, Coastal Program Analyst

**RE:** Amendment Request No. 1-17 (LCP-5-LOB-17-0023-1) to the City of Long Beach Local Coastal Program, for Commission Action at its May 12, 2017 meeting in San Diego.

## Local Coastal Program Amendment No. 1-17

The Coastal Commission certified the City of Long Beach Local Coastal Program (LCP) on July 22, 1980. Amendment Request No. 1-17 would amend the City's LCP implementing ordinances to re-zone a single parcel at 2 61<sup>st</sup> Place from CNR (Neighborhood Commercial and Residential) to R-2-1 (Two Family Residential). The LCP amendment request affects only the implementation plan (IP) portion of the certified LCP (Zoning Regulations – Title 21 of the Long Beach Municipal Code). The proposed change to the City's zoning code is contained in City Council Ordinance No. ORD-16-0031 (**Exhibit 1**). The LCP amendment request was submitted for Commission certification by City Council Resolution No. RES-16-0120. The City of Long Beach Planning Commission held a public hearing for the zone change amendment and associated project on October 20, 2016, and the City Council held a public hearing on December 6, 2016. The City submitted LCP Amendment Request No. 1-17 on March 21, 2017 and Commission staff deemed the LCP amendment request complete March 31, 2017.

## STAFF RECOMMENDATION

The standard of review for the proposed amendment to the LCP Implementing Ordinances (IP), pursuant to Sections 30513 and 30514 of the Coastal Act, is that the proposed IP amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan (LUP). The City's certified Land Use Plan already identifies the subject parcel as residential; the subject amendment will bring the zoning map within the Implementing Ordinances into conformity. The amendment would only affect the existing underlying zoning designation of one parcel and would not set a precedent for zone changes to facilitate projects that are out of scale with surrounding structures inconsistent with the land uses of a specific area. The amendment request has been determined to be major because the ordinance changes the allowable land use and zoning standards on the subject parcel. The change proposed by this LCP amendment will not adversely affect coastal resources, and the proposed change is consistent with the certified LUP. Staff is recommending that the Commission, after a public hearing, certify the LCP amendment request as submitted. The motion to accomplish this recommendation is on page two of this report.

## I. MOTION AND RESOLUTION

### Motion:

*I move that the Commission reject Amendment No. 1-17 to the City of Long Beach Implementing Ordinances as submitted by the City.*

Staff recommends a **NO** vote. Failure of this motion will result in certification of the amendment to the Implementation Program as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

### Resolution to Certify the IP Amendment as Submitted

*The Commission hereby certifies Amendment Request No. 1-17 to the LCP Implementing Ordinances for the City of Long Beach as submitted and adopts the findings set forth below on grounds that the Implementing Ordinances conform with, and are adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementing Ordinances complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.*

## II. FINDINGS

### A. Description of the LCP Amendment Request

Long Beach LCP Amendment Request No. 1-17 would amend the City's implementing ordinances to re-zone a single parcel at 2 61<sup>st</sup> Place from CNR (Neighborhood Commercial and Residential) to R-2-1 (Two Family Residential). The re-zoning would enable the construction of up to two residential units on the subject parcel, where only one residential unit would be allowed under the existing zoning. No commercial uses currently exist on the site and commercial uses would no longer be authorized on the site. Required front, rear, and side yard setbacks would be reduced compared to the existing zoning, but would still be consistent with other residential structures in the area. The height limit would be increased from two stories to three stories. The re-zoning would not result in changes to floor area ratio or parking requirements and is consistent with surrounding residential development. Long Beach City Council Ordinance No. ORD-16-0031 adopting the proposed zone change is included as **Exhibit 1**.

### B. Consistency with the Certified Land Use Plan

The standard of review for the proposed amendment to the LCP Implementing Ordinances (IP), pursuant to Sections 30513 and 30514 of the Coastal Act, is that the proposed IP amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan (LUP). The certified LUP designates the subject site as Type 2 (Mixed Style Homes) – see **Exhibit 2**. The proposal to change the zoning designation within the Implementing Ordinances to R-2-1 (Two Family Residential) will bring it into conformity with the certified LUP. The parcels on the same block, which currently support single family homes and duplexes, are already designated Type 2 (Mixed Style Homes) by the certified LUP and R-2-1 (Two Family Residential) by the certified IP.

The street to the east, 62<sup>nd</sup> Place, is designated Type 7 (Mixed Uses) by the certified LUP and CNR (Neighborhood Commercial and Residential) by certified IP. That street supports commercial land uses including a convenience store and a café near Alamitos Bay. A marina extending to 61<sup>st</sup> Place along the bay extends the Type 7 (Mixed Use) and CNR (Neighborhood Commercial and Residential) zoning district in a T-shape (**Exhibit 2**); however the southern, ocean-fronting, portion of the Alamitos Peninsula does not contain commercial uses. The subject amendment request and zone change will not preclude all new commercial uses along the ocean and adjacent public walkway; there will still be four parcels currently developed with residential uses but which could be developed with commercial or mixed uses in the future.

The LCP amendment and zone change will enable the construction of a new residential structure on the site which is currently developed with a residential structure. The new structure may be up to three-stories high, which is consistent with the zoning for the adjacent parcels. The City of Long Beach is responsible for processing a coastal development permit for any new project on the site. That permit must be based on findings that the proposed project is consistent with other LCP policies including neighborhood character and hazards. The applicant must demonstrate and the City must find that any proposed project is consistent with the height and setback requirements and will not be out of character with surrounding residential development, which includes two-story and three-story single family homes and duplexes. Additionally, the applicant must demonstrate and the City must find that the project minimizes risk to life and property including flooding and wave attack associated with severe storms and sea level rise. The site is at an extremely low elevation (approximately +8 feet NAVD88), in a hazardous area which is currently protected by an ocean breakwater and a fortified sand berm on the public beach, but may subject to more frequent flooding in the future. The site should not be developed in such a way that would adversely affect coastal resources or reduce public access or recreational opportunities along the adjacent public walkway and public beach. Any coastal development permit approved by the City of Long Beach for the subject parcel is appealable to the Coastal Commission and will continue to be appealable following the LCP amendment.

The change proposed in this LCP amendment will make the zoning ordinances and the certified IP more consistent. The change conforms with, and is adequate to carry out, the provisions of the certified LUP. The proposed LCP amendment is consistent with the policies of the LUP and will not result in any adverse impacts to coastal resources.

### **C. California Environmental Quality Act**

The City of Long Beach is the lead agency for the purposes of California Environmental Quality Act review of the proposed LCP amendment. In November, 2016, the City issued a Negative Declaration (ND-03-16) for the proposed change to the zoning regulations. Pursuant to the California Environmental Quality Act (CEQA) and the California Code of Regulations [Title 14, Sections 13540(f), 13542(a), 13555(b)] the Commission's certification of this LCP amendment must be based in part on a finding that it is consistent with CEQA Section 21080.5(d)(2)(A). That section of the Public Resources Code requires that the Commission's regulatory program require that a proposal not be approved or adopted if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The Commission finds that, for the reasons discussed in this report, the proposed LCP amendment complies with the California Environmental Quality Act because there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts which the LCP Amendment may have on the environment. The Commission finds that the proposed LCP amendment will be consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.