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AGREEMENTS**
- 5 PROBLEMS WITH
DEVELOPMENT AGREEMENTS**

FIRST QUESTION

WORTH 0.5%
OF TOTAL GRADE

WRITE YOUR FULL NAME
AND ANSWER ON A SMALL PIECE
OF PAPER AND **HOLD ONTO IT.**

WHAT TERM BEST DESCRIBES A ZONING ORDINANCE THAT FOCUSES ON THE BUILDINGS. INSTEAD OF DEALING WITH EACH PARCEL IN ISOLATION, SEEKING TO DEAL WITH NEIGHBORHOODS AS A WHOLE. INSTEAD OF BEING WRITTEN MOSTLY IN TEXT BY LAWYERS, THESE ORDINANCES ARE OFTEN DRAFTED BY DESIGNERS WHO USE MANY VISUAL IMAGES.



ZONE
VARIANCE



CONDITIONAL
USE PERMIT

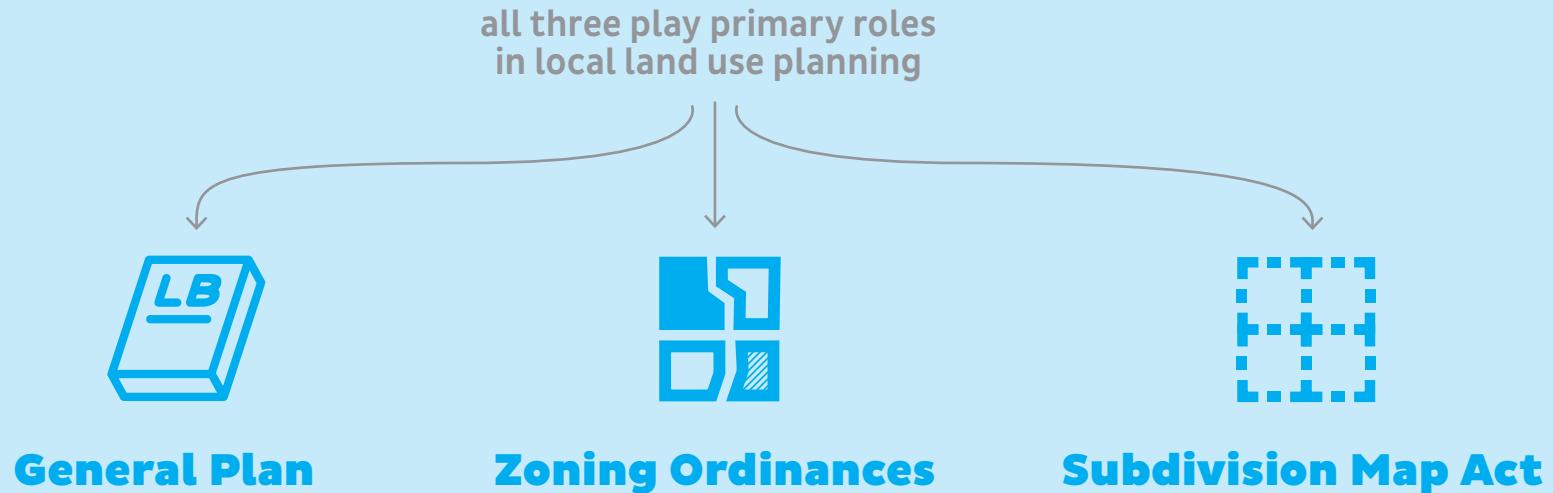


SETBACK



FORM BASED
CODE

SPECIFIC PLANS: AN INTRODUCTION

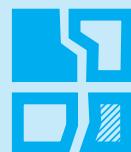


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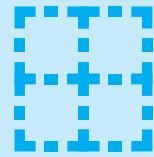
all three play primary roles
in local land use planning



General Plan



Zoning Ordinances



Subdivision Map Act

SPECIFIC PLANS: AN INTRODUCTION



SPECIFIC PLANS: AN INTRODUCTION



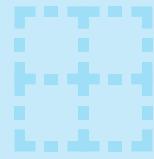
General Plan



Zoning Ordinances



Specific Plan



Subdivision Map Act



**Development
Agreements**



CEQA

SPECIFIC PLANS: AN INTRODUCTION



- Specific Plans

- Land use planning documents (like General Plans) that contain policies and development standards specific for one particular geographical area.**

SPECIFIC PLANS: AN INTRODUCTION



- Specific Plans

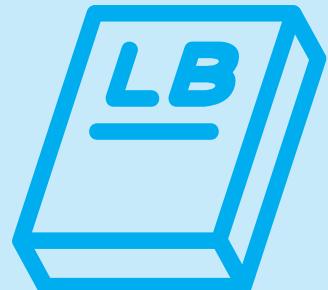
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 - Developers often use the specific plan as part of a package of planning documents that lay out development of large new tracts in the suburbs or that lay out the future of a historically, culturally, or economically important neighborhoods.**

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General Plans

vs.



Specific Plans

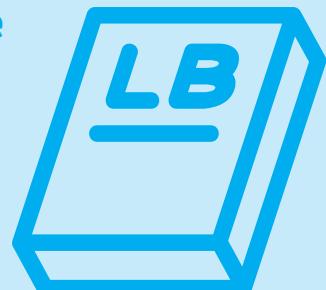
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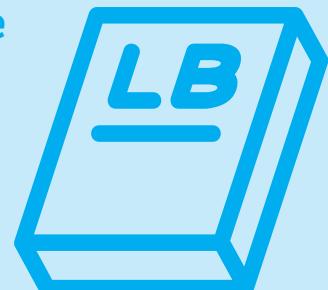
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Specific Plans

whereas the legal requirements
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SPECIFIC PLANS: AN INTRODUCTION



- Specific Plans vs General Plans

- CA Government Code §§ 65450–65457 states that after a general plan is adopted, a local government may “prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan”.



General Plans

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SPECIFIC PLANS: AN INTRODUCTION



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SPECIFIC PLANS: AN INTRODUCTION



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 - Such documents are incorporated into a city or county’s overall general plan, and they carry the same legal force as the general plan.



General Plans

vs.



Specific Plans

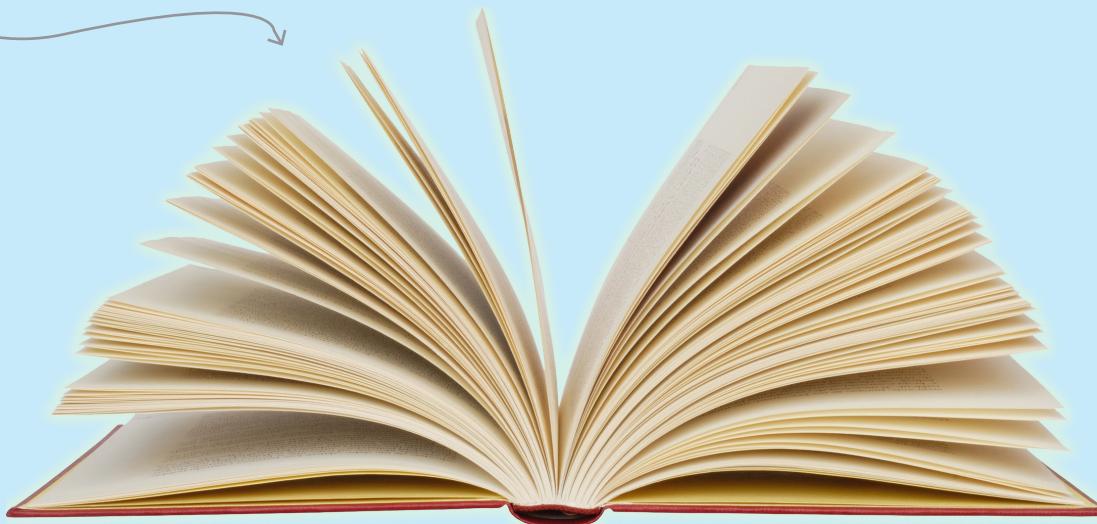
SPECIFIC PLANS: AN INTRODUCTION



- What do Specific Plans Contain?

- Perhaps the most important part of the specific plan is its set of **development standards**, which are typically spelled out in great detail.

DEVELOPMENT STANDARDS



SPECIFIC PLANS: AN INTRODUCTION

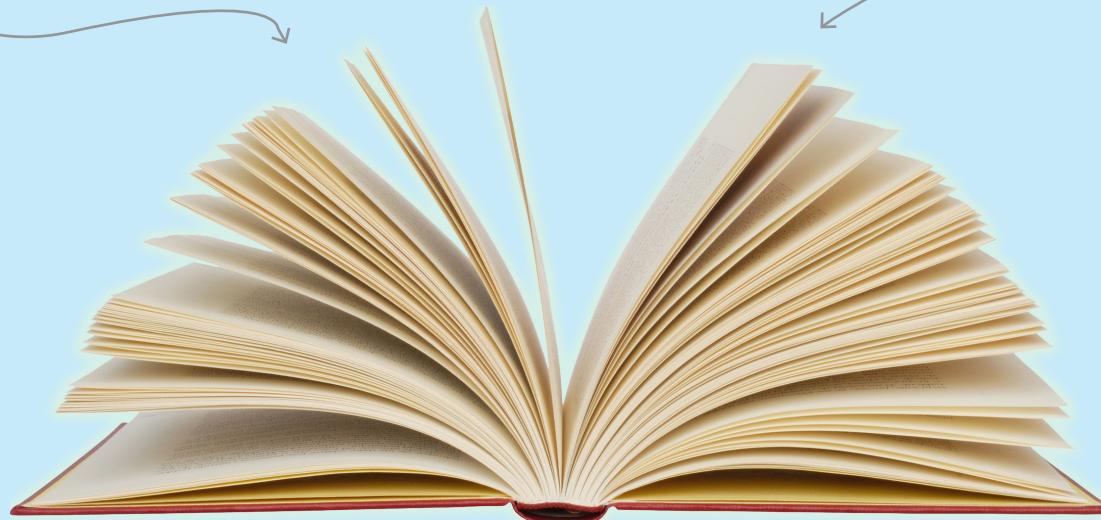


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DEVELOPMENT STANDARDS

PLANNING POLICIES

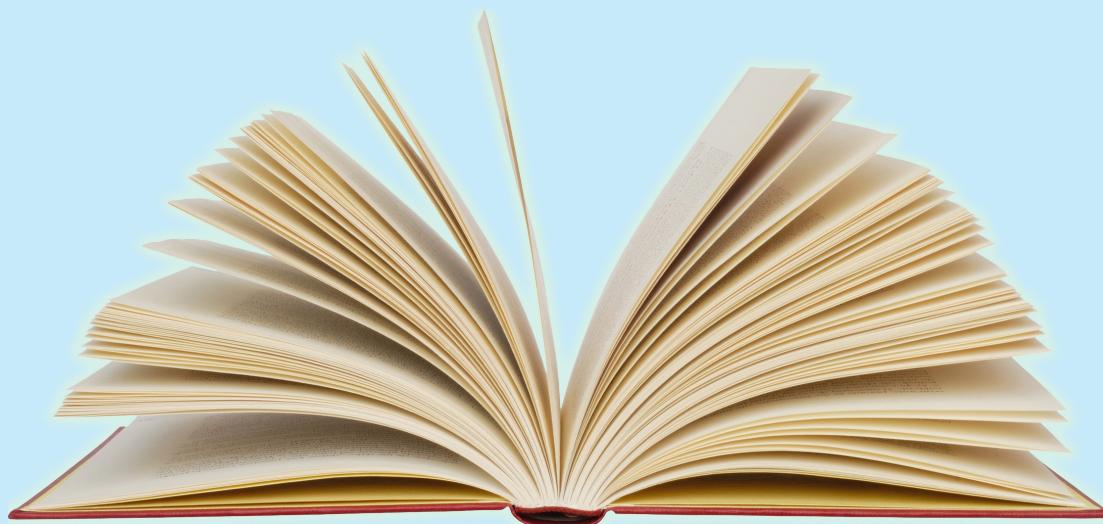


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 - This flexibility to address both development standards and policy generalities is very attractive to both developers and community groups.

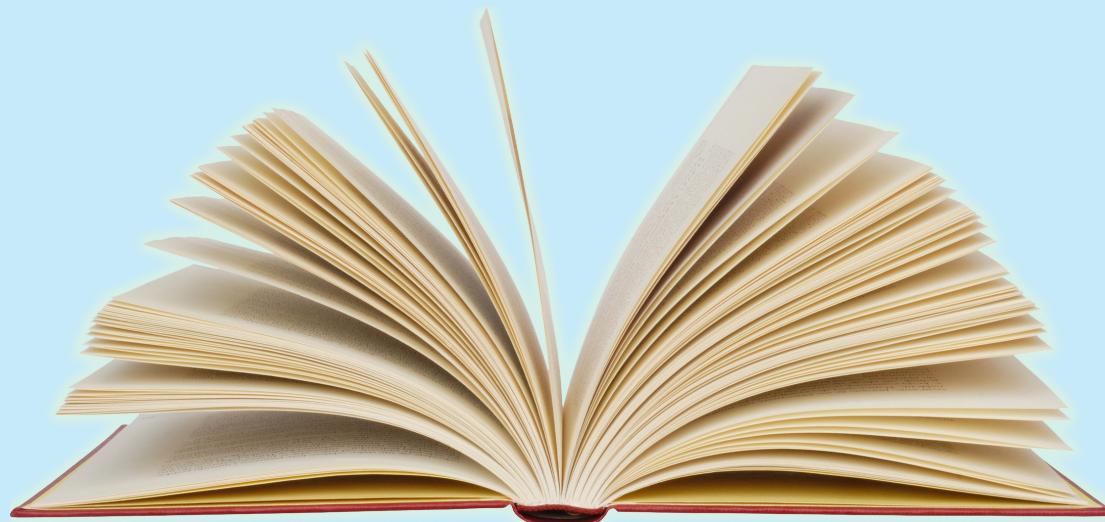


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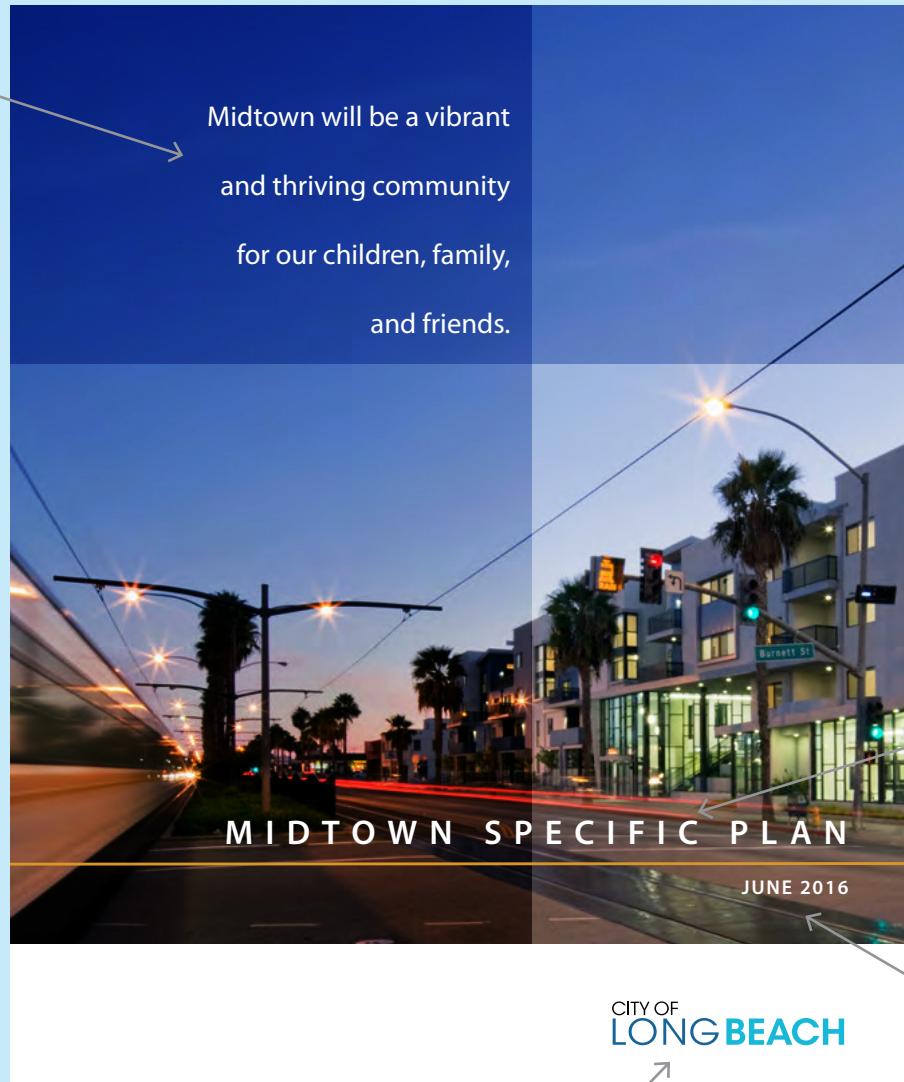
LONG BEACH MIDTOWN SPECIFIC PLAN:

<http://www.lbds.info/civica/filebank/blobdload.asp?BlobID=7247>

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Honorable Mayor Robert Garcia
Lena Gonzalez, Councilwoman, 1st District
Jeanne Pearce, Councilmember, 2nd District
Suzie Price, Councilwoman, 3rd District
Daryl Supernaw, Councilman, 4th District
Stacy Mungo, Councilwoman, 5th District
Dee Andrews, Councilman, 6th District
Roberto Uranga, Councilmember, 7th District
Al Austin II, Councilmember, 8th District
Rex Richardson, Vice Mayor, 9th District

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Erick Verduzco-Vega, Vice Chair
Mark Christoffels
Ron Cruz
Richard Lewis (term began September 2016)
Andy Perez
Jane Templin

Alan Fox (term ended August 2016)

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Fuscoe Engineering, Ian Adam, Principal

Special Recognition

Southern California Association of Governments (SCAG)

SCAG COMPASS BLUEPRINT PROGRAM

This is a project for the City of Long Beach with funding provided by the Southern California Association of Governments (SCAG) Compass Blueprint Program. Compass Blueprint assists Southern California cities and other entities in evaluating planning options and stimulating development consistent with the region's goals. Compass Blueprint tools support visioning efforts, infill analyses, economic and policy analyses, and marketing and communication programs.

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The contents of this document reflect the views of the author who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of SCAG, DOT or the State of California. This document does not constitute a standard, specification or regulation. SCAG shall not be responsible for the City's future use or adaptation of the report.



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CITY OF LONG BEACH **MIDTOWN SPECIFIC PLAN**

ADOPTED BY THE LONG BEACH CITY COUNCIL ON JUNE 14, 2016

ORDINANCE NO. ORD-16-0009

AMENDED _____ [DATE]

ORDINANCE NO. ORD-XX-XXXX

Prepared for the City of Long Beach Department of Development Services
Katalyst, Inc., PlaceWorks, Fehr & Peers, Strategic Economics, Fuscoe Engineering

This information is available in alternative format by request at (562) 570-3807. For an electronic version, visit our website at www.lbds.info.

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SUMMARY 

MIDTOWN VISION

Midtown will be a vibrant and thriving community for our children, family, and friends. Midtown will be known for its unique blend of parks, strong businesses, and transit-oriented housing. Additionally, Midtown will be an early leader in multi-modal transportation practices, where a person can safely and easily travel by walking, riding a bike, catching a bus, taking a train, or driving a car.

Purpose of the Specific Plan

The Midtown Specific Plan provides a framework for the development and improvement of a 369-acre corridor along Long Beach Boulevard in the City of Long Beach.

The Specific Plan is intended to be more flexible than conventional zoning to encourage new investment and development along the corridor. The Specific Plan establishes a land use plan and regulations, infrastructure requirements, design guidelines, and implementation strategies necessary to achieve the vision.

Guiding Principles

Five principles accompany the vision to guide the Specific Plan and support Citywide efforts to increase non-motorized transportation, promote healthy living options, and work toward a more sustainable future.

1. Enhanced Mobility and Complete Streets

Long Beach Boulevard must evolve to prioritize and enhance the walkability of the corridor, improve mobility options for bicycles and transit riders, and preserve functionality of the corridor as a thoroughfare for automobiles. The addition of trees, landscape, furnishings, and bikeways; improved pedestrian crossings; and small changes in travel lanes will enhance the public realm experience for all users.

2. Safety and Wellness

The physical environment plays a critical role in our community's overall health. Providing active and passive park spaces for urban neighborhoods along Long Beach Boulevard is critical to improve health and wellness. A well-designed street creates a safer and more appealing setting for families, bicyclists, and others along the corridor. The Specific Plan proposes physical and programmatic connections between health-related institutions, park areas, and the public right-of-way.

GUIDING PRINCIPLES 

Enhanced Mobility and Complete Streets
Safety and Wellness
A Sustainable Future
Supporting Urban Amenities
Working with and for the Community

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and energizing tired store fronts will attract residents and visitors to shop, dine, and support businesses along the corridor. Other development efforts, such as the Promenade, courthouse, and numerous façade improvements throughout the City, have demonstrated the success and economic gain from strategic enhancements with long-term vision.

1.2.3 Investments and Financing

Public-private partnerships, transit funding, street improvements, and business and improvement districts are all possible mechanisms for funding revitalization and growth projects along the corridor. Midtown has substantial vacant and underutilized land resources alongside major transit investments, and excellent access to the freeway and Downtown Long Beach.

1.3 LAND USE PLAN

The Midtown Specific Plan regulates the project area through four development districts: Transit Node, Corridor, Medical, and Open Space. Each district has its own development standards and land use patterns. Overall, the 375-acre Specific Plan could ultimately support roughly 3,600 homes and 15,600 jobs in 2.9 million square feet of building space, concentrating and intensifying development at key transit and employment nodes.

Figure 1-1 and Table 1-1 summarize the development intensity and boundaries for each district, including the projected distribution of development potential by district subarea.

1.3.1 Land Use Districts

Transit Node (TN)

The Transit Node District supports compact, transit-oriented mixed-use and residential development centered on the three Metro Blue Line stations.

Corridor (CDR)

The Corridor District is applied to properties along Long Beach Boulevard between Blue Line stations and the 405 Freeway. It is intended to provide housing options and neighborhood-serving uses within walking distance of a transit node.

Medical (M)

The Medical District establishes a comprehensive health campus based on the Long Beach Memorial Medical Center's master planning efforts.

Open Space (OS)

The Open Space District identifies existing areas reserved for community and mini-parks and creates new space for parks.

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FIGURE 1-1 LAND USE PLAN

Legend:

- Conifer District
- Medical Node District
- Transit Node District
- Open Space District
- Blue Line Station
- Blue Line Route
- Downtown Plan
- Specific Plan Boundary
- City Boundary

Scale: 0 250 500 1,000 feet



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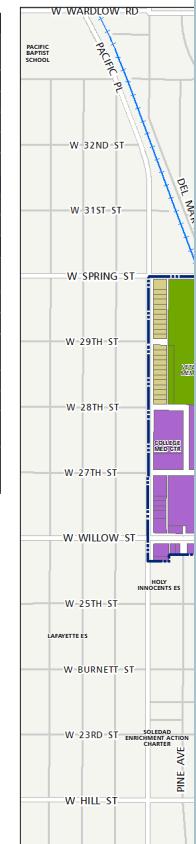
TABLE 1-1 LAND USE SUMMARY BY DISTRICT

Land Use Summary by District						
District	Acres	Typical Density (per ac)	Dwelling Units	Comm/Employ Sq Ft	Hotel Rooms/Hospital Beds	
Corridor Districts						
1	25	15-40	408	274,766	---	
2	51	15-40	924	331,815	---	
3	20	15-40	450	92,663	---	
Total	96	-	1,782	699,244	---	
Medical District						
4	63	20-30	300	757,600	854 beds	
Total	63	-	300	757,600	854 beds	
Transit Node Districts						
5	44	30-60	774	924,296	175 rooms/148 beds	
6	20	30-60	362	297,125	102 rooms	
7	19	30-60	401	319,000	---	
Total	83	-	1,537	1,540,421	277 rooms/148 beds	
OS*	18	-	-	-	-	
ROW	114	-	-	-	-	
Total	375	-	3,619	2,997,265	277 rooms/983 beds	

Note:
1. The Open Space District consists of 15.2 acres of existing park area plus 2.6 acres of future parklets. Figures above subject to rounding.



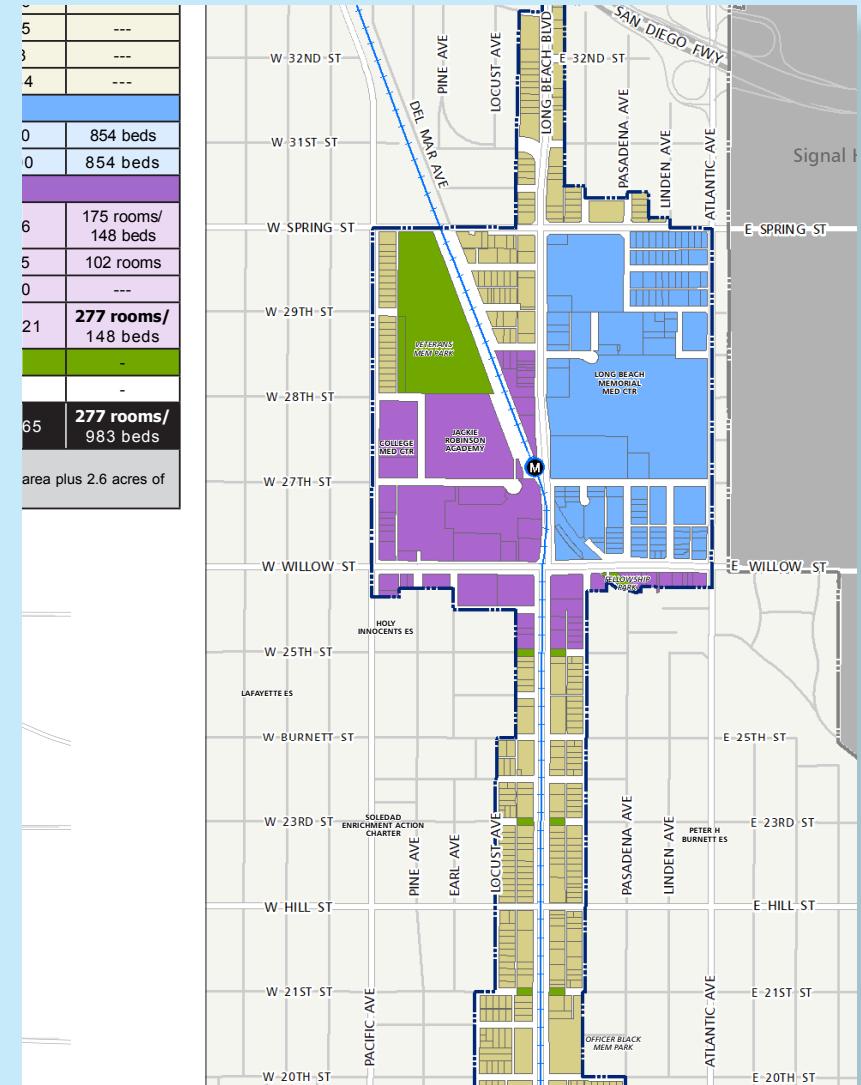
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→ TABLE 1-2 FUNDING SOURCES FOR INFRASTRUCTURE IMPROVEMENTS

Funding Source Category	Funding Source	Improvement Category				
		Bicycle Network & Facilities	Pedestrian Enhancements	Streetscape	Park & Recreation	Transit Facilities
Local Revenues & Fees	Local Revenues	X	X	X	X	X
	User Fees					X
Property-Based Financing Tools	BID/PBID	X	X	X	X	X
	Assessment District	X	X	X	X	X
Development	Community Facilities District	X	X	X	X	X
	Impact and In-Lieu Fees	X	X	X	X	X
Grant Programs	Development Agreements	X	X	X	X	X
	Local Partnerships		X	X	X	X
Other Tools	SCAG RTP	X	X	X		X
	LA Metro TIP	X	X	X		X
Housing	SCAG ATP	X	X	X		
	Caltrans ATP	X	X	X		
Transportation	HCD Housing-Related Parks				X	
	HCD IIG		X	X		
Economic Development	HCD TOD Housing	X	X	X		X
	California Parks and Rec LWCF				X	
Utilities	HUD CDBG	X	X	X	X	X
	Structured Funds					
Infrastructure	Revolving Loan Funds	X	X	X	X	X

1.8 ENVIRONMENTAL ASSESSMENT

The Specific Plan was adopted in compliance with the requirements of the California Environmental Quality Act (CEQA) (California Public Resources Code, Section 21000 et seq.). Pursuant to the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3, Section 15000 et seq.), the City of Long Beach prepared an Initial Study and Notice of Preparation and made these documents available to responsible agencies, trustee agencies, and interested parties for a 30-day public review period, which extended from March 9 to April 7, 2015. Through the Initial Study, the City determined that implementation of the Specific Plan could result in potentially significant environmental impacts and that the preparation of a programmatic-level Environmental Impact Report (Program EIR) was required.

The Midtown Specific Plan EIR (State Clearinghouse No. 2015031034) is a Program EIR. As provided in Section 15168 of the CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project. The Specific Plan establishes an overall development program that can be characterized as one large project,

MIDTOWN SPECIFIC PLAN | 17

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but its implementation will require a series of future discretionary actions (approvals of specific projects) by the City of Long Beach. The Specific Plan Program EIR is intended to serve as the primary environmental document for all future entitlements (later activities) associated with implementation of the Specific Plan, including all discretionary approvals requested or required to implement the project.

Pursuant to Section 15168 of the CEQA Guidelines, a later activity under the Specific Plan development program must be examined in the light of the Specific Plan Program EIR to determine whether additional environmental documentation must be prepared. Each later activity must undergo an initial study and analysis by the City to determine if the activity is within the scope of the Specific Plan Program EIR. Because these later activities are not new projects as defined by CEQA, compliance for each impact category is narrowed to a determination as to whether the activity would result in: (1) no substantial change from the previous analysis; (2) a more severe impact; or (3) a new significant impact. Based on the results of this initial study, the City will determine which of the following actions is applicable to the later activity:

- The later activity is a component of and consistent with the Specific Plan and has been previously analyzed as a part of the Specific Plan Program EIR and findings certified pursuant to the CEQA Guidelines. No additional CEQA documentation is required (CEQA Guidelines Section 15168).
- The later activity is a component of the Specific Plan and has been previously analyzed as a part of the Specific Plan Program EIR and findings certified pursuant to the State CEQA Guidelines; however, minor technical changes or additions are needed to make the previous documentation adequate to cover the project. An Addendum to the Specific Plan Program EIR is required (CEQA Guidelines Section 15164).
- The later activity is either not a component of the Specific Plan or has not been previously analyzed as part of the Specific Plan Program EIR, in which case an initial study and additional environmental review under CEQA will be required unless the later activity is exempt under CEQA.

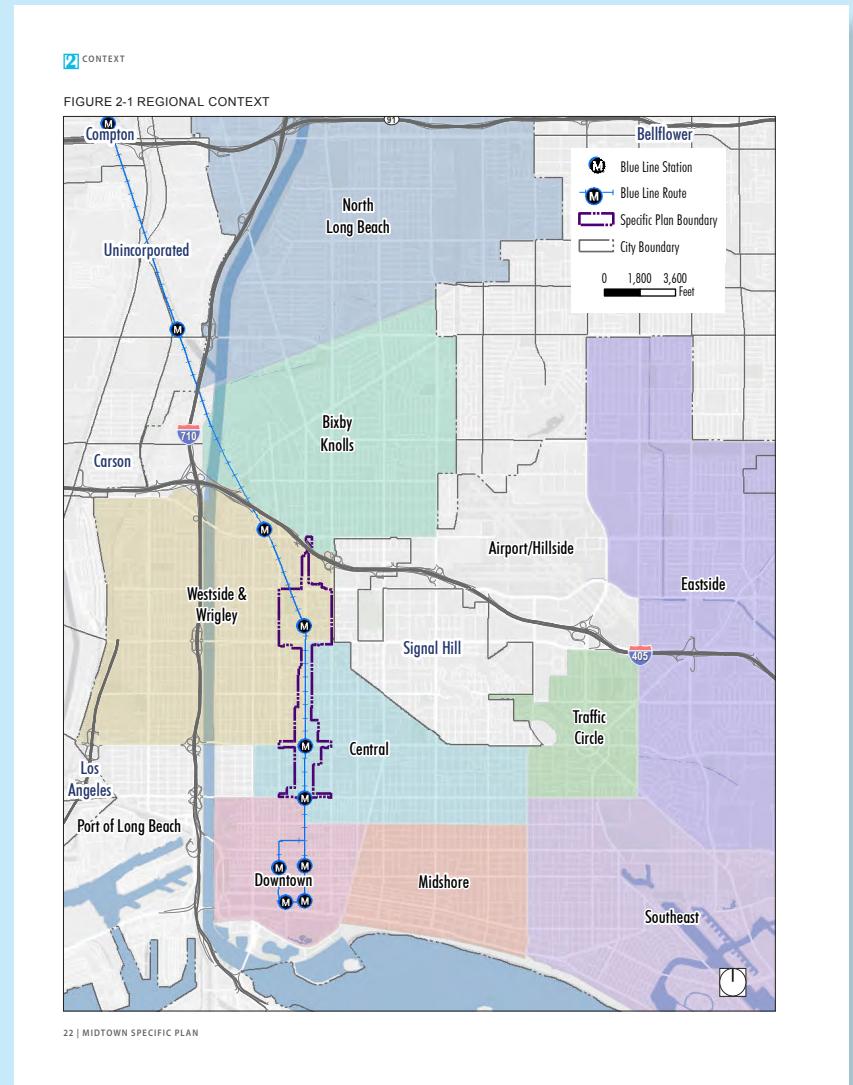
In addition, future development projects within the Specific Plan area may be eligible for streamlining under CEQA Guidelines Section 15183.3, effective January 1, 2013. To be eligible, a project must:

- Be located in an urban area on a previously developed site or surrounded by urban uses (75 percent of perimeter);
- Satisfy performance standards in CEQA Guidelines Appendix M; and
- Be consistent with the general use designation, density, building intensity, and applicable policies in the Southern California Association of Governments Sustainable Communities Strategy.

SPECIFIC PLANS: AN INTRODUCTION

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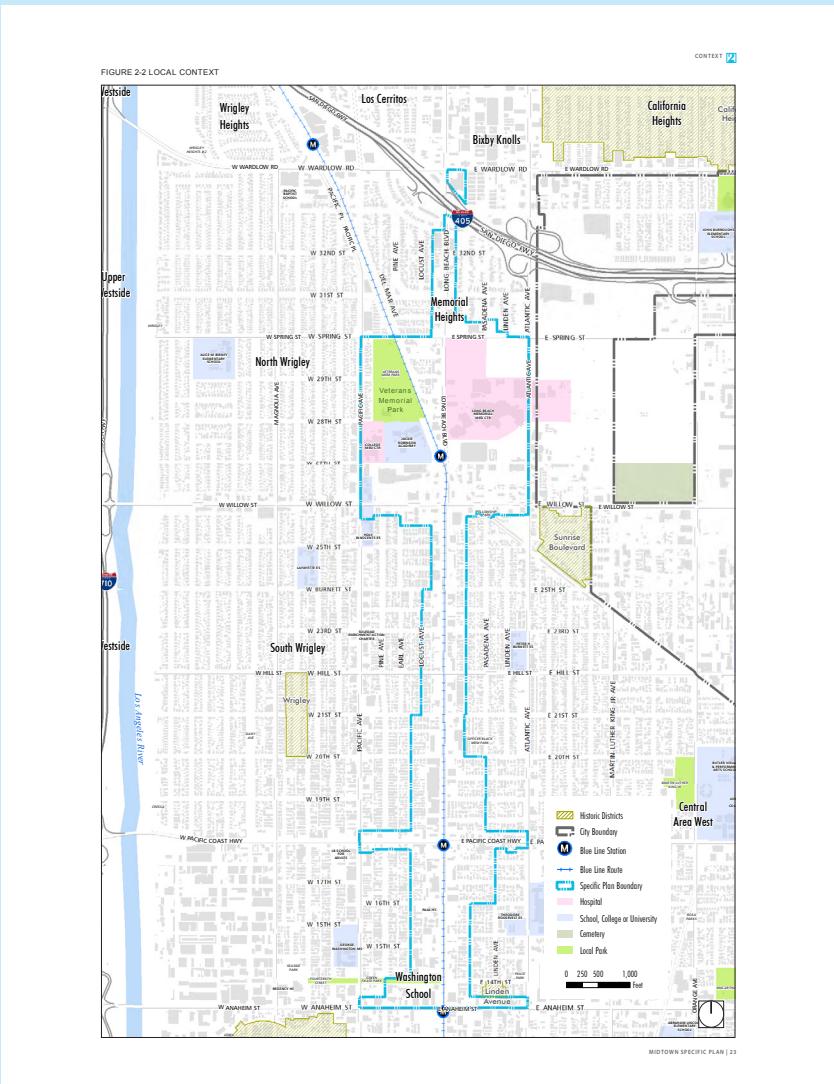
- 1. fail to map or describe major infrastructure components
- especially energy and trash facilities
- 2. contain vague implementation measures
- 3. do not address infrastructure financing
- 4. do not explain how the specific plan carries out the general plan



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2.2 HISTORY

Long Beach Boulevard, called American Avenue until 1958, is a busy street that has catered to nearly all modes of travel over the past 100 years. The size of its right-of-way, generally 132 feet, reflects its history as a streetcar route. The original Red Line streetcar line began service in 1902 and ran along the Metro Blue Line route, operated by Pacific Electric Railway. By 1927, Long Beach had over 30 miles of streetcar tracks and soon became one of the fastest growing cities in the country.

In the 1930s, automobile use exploded and streetcars fell out of favor. The proliferation of freeways and an increasingly auto-centric culture pushed Long Beach Boulevard to adapt to the new car-oriented way of life. Not only did it become vehicular dominated as a means of travel, but the boulevard also became a regional destination for people to shop for new cars in the 1960s and 1970s. However, after the passage of Proposition 13 capped property taxes, cities began competing for auto dealerships to boost sales tax revenues. Dealerships abandoned the boulevard for larger sites in other cities, and the area began to decline. The effects of this loss are still visible in the remaining vacant lots and marginal commercial uses.

Long Beach Boulevard began shifting from an auto-dominated street to a transit-oriented community in the late 1980s. The Metro Blue Line opened for business on Long Beach Boulevard on July 14, 1990, transporting passengers from Los Angeles to Downtown Long Beach. The Blue Line has become one of the busiest light rail lines in the country, averaging roughly 90,000 boardings every weekday. It has become so busy that several station platforms have been extended to provide for longer trains and new riders.

The City has sought to use transit as a catalyst for Midtown's physical and economic revitalization since the Metro Blue Line's opening in 1990. The City adopted the Long Beach Boulevard Planned Development District (PD-29) in 1991 to provide a regulatory framework that could attract new investment along the boulevard in the form of mixed-use, high-density infill projects.

Development along the boulevard and new economic opportunities for local residents have been minimal over the past 20 years. Since PD-29's adoption, most new development has been limited to low density and single-use commercial and retail projects. The designs and layouts of these projects emphasized automobile access and provided few physical connections or access to transit. This resulting development pattern is neither consistent with the City's desired mixed-use transit corridor, nor does it provide significant benefits to local residents.

CONTEXT 2



Historical photo of Long Beach Boulevard from the 1910s or 1920s.



Mike Salta Pontiac, 16th Street and Long Beach Boulevard, circa 1966.



The Blue Line opened in July 1990, reestablishing passenger rail service from Long Beach to LA.

Photo credits:

Top: Ronald W. Mahan & Joseph J. Muñoz Photo Theatre Collection
Middle: Bob Wicker, PorticoOnline.com
Bottom: Dorothy Peyton Gray Transportation Library and Archive at the Los Angeles County Metropolitan Transportation Authority

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2 CONTEXT

Phase 1 of the master plan includes improvements to the north campus area along Spring Street and Atlantic Avenue. Site improvements include the Miller Children's Hospital Outpatient Village and medical center offices. This type of investment is key because these institutions have a long-range view for their community, are generally the landowners, and tend to be less driven by profit than private developers, making them ideal partners for advancement of the corridor.

Public Improvements. Public contribution to streetscape improvements and linkages can greatly increase private investment in the project area. The existing public realm is not alluring to developers and would-be dwellers. Enhancing the public realm, including the sidewalk, landscaping, open space, and bicycle facilities, is critical to attracting developers and property owners to invest and reinvest in the area.

Improvement Districts. Another successful tool for public improvements in the area would be the formation of business improvement districts, in which business owners choose to assess themselves for public enhancement projects. This usually results in more numerous and more enhanced public improvements, which has been shown to increase property values and private investment in the area. Similar types of districts are property-based improvement districts, which includes property owners, maintenance assessment districts, and community facility districts.

Focused and Creative Development Standards. The future vision for Midtown contains mixed-use and high-density, transit-oriented development. Mixed-use buildings can be expensive to construct and may be deterred if overly constrained by inflexible development standards.

For example, if the Specific Plan requires ground-floor retail throughout the corridor, it is possible that some of the new buildings would have vacant retail space for many years. Throughout the nation, cities and developers have learned to minimize the percentage of retail in mixed-use buildings, unless located in Downtown areas or key activity nodes. The requirement for ground-floor retail should be limited to selected nodes, rather than for all projects in the corridor, to avoid overbuilding retail that cannot be easily tenanted. To avoid ground-floor vacancies in the short term before the corridor matures and the market demands continuous retail, the Specific Plan allows for other land uses to be on the ground floor, provided they are constructed with a floor height consistent with retail storefronts.

2.4 COMMUNITY INPUT

The City of Long Beach conducted a series of focused outreach meetings and follow-up interviews with roughly 40 stakeholders and multiple neighborhood groups dating back to 2012. The meetings generated significant input from residents, local business owners, property owners, community organizations, local and regional transportation agencies, the

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school district, medical and educational institutions, and developers. The following summarizes the input from the outreach effort.

- Reduce Impacts of the Street Width: Long Beach Boulevard is auto dominated with heavy, fast-moving traffic and numerous vehicular lanes, making the street loud to walk along and difficult to cross. The physical and visual size of the boulevard can overwhelm the overall experience, minimizing positive impacts of new development. Although the Metro Blue Line is an important City and regional transit asset, the center median and blue fence create long stretches along the corridor that limit vehicular and pedestrian crossings for residents and workers.
- Enhance the Pedestrian Environment: There is a lot of foot traffic and bicycle use on Long Beach Boulevard, but the environment feels cold and unwelcoming to pedestrians, with predominantly gray concrete sidewalks and limited landscaping, art, and color. Palm trees offer a framed vista along the corridor but do not provide adequate shade for pedestrians and bicyclists. The boulevard should be lined with shops and restaurants that introduce areas filled with cafés and outdoor dining.
- Improve Bicycle Access: Bicyclists use the sidewalk because they feel unsafe or uncomfortable riding in the street among the cars, trucks, buses, and trains. Bike lanes currently stop at the edge of Downtown and could be extended into Midtown. Incorporating a Complete Streets approach to mobility could help to accommodate all transportation modes along the corridor: bicycles, pedestrian, automobiles, and transit.
- Make It a Street Worth Its Namesake: Long Beach Boulevard is named after the City, but currently does not offer a strong positive impression of Midtown or provide an attractive gateway to Downtown. The boulevard needs improvements and branding to help create a reason for being on the corridor, to attract new residential and commercial investment, and to show that "somebody cares about this street."
- More Park Space throughout Midtown. Residents spoke uniformly in their desire for more parkland and open spaces in Midtown and along Long Beach Boulevard. Although the public understood that it can be difficult to create new open spaces in a built-out area, they looked to the City and this Plan to generate creative solutions for Midtown—particularly if the Specific Plan proposes to add new residents.
- Show Progress on Innovative Ideas. The community understood that Midtown would not improve overnight, but they wanted more than a long-term plan that waits for the market to respond. Residents and businesses support the idea of demonstration projects, where something temporary can become successful and permanent. The community grew excited about possible improvements and felt comfortable testing them in a temporary fashion.

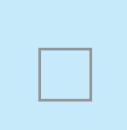
CONTEXT

The following is a partial list of the community organizations and stakeholders involved in the development of this Plan:

Centro Shalom
City Fabric
EcoTech
Environ Architecture
Hancock University
Interstate
Open Dis. Inc.
Left Coast Sports Innovations
Long Beach Central Project Area Council
Long Beach Memorial Medical Center / Miller Children's Hospital
Long Beach Rescue Mission
Long Beach Unified School District
Los Angeles County Metro
Meta Housing Corporation
New City Public Schools
Pacific Hospital Long Beach
Sourcing International
St. Mary Medical Center
Urban Village

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3 LAND USE PLAN & DEVELOPMENT STANDARDS

existing and proposed open space within and near the Midtown Specific Plan boundaries. Open space standards are covered in Section 3.6.

3.4 DEVELOPMENT STANDARDS

The development standards translate the Specific Plan vision and principles into prescriptive evaluation standards and guidelines, ensuring that new development projects activate the public realm, exhibit high standards of urban design and landscaping, and maximize flexibility and development feasibility for public and private projects.

3.4.1 Permitted Uses

Table 3-2 shall regulate land uses in the Midtown Specific Plan area. The table provides uses by district: Transit Node District, Corridor District, and Medical District. The uses are indicated by abbreviation: e.g., permitted (Y), not permitted (N), permitted by Conditional Use Permit (C), permitted as accessory use (A), and permitted as a temporary use (T).

All land uses not listed in Table 3-2 shall be prohibited, except that the Zoning Administrator has the authority to interpret, in cases of uncertainty, the intent of this ordinance as to whether an unlisted land use shall be designated Y, N, C, AP, A, or T, subject to verification by the Planning Commission upon appeal by the applicant, through the Classification of Use process provided in Division VI of Chapter 21.25 of the Zoning Regulations.

Affordable Housing

As part of the redevelopment strategy for the former Central Long Beach Redevelopment Project Area, several parcels were assembled along the Long Beach Boulevard corridor to provide strategic investment for affordable housing development. These parcels are identified on Figure 3-3, Parcels Owned by the Long Beach Community Investment Company.

Key parcels remain under the ownership of the Long Beach Community Investment Company (LBCIC) and must be developed consistent with the regulatory requirements contained in the California Health and Safety Code, as amended by SB 341. Uses inconsistent with these requirements are prohibited, even on a temporary basis. The LBCIC intends to offer these parcels for development over the next year or two through competitive bid for low-, very low-, and extremely low-income affordable housing. The development of these parcels for affordable housing purposes is also consistent with the City's certified Housing Element for the period of 2013-2021.

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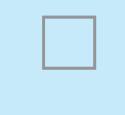
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LAND USE PLAN & DEVELOPMENT STANDARDS

TABLE 3-2 PERMITTED USES

Use and Key to Permit Requirements	Transit Node District	Corridor District	Medical District	Notes and Exceptions
Y = Permitted use N = Not permitted C = Conditional use permit AP = Administrative use permit A = Accessory use I = temporary Use				Code section numbers reference the Long Beach Municipal Code
Alcohol Beverage Sales				
Off-premise sales	C	C	C	see note (a)
On-premise sales	C	C	C	see note (a)
Automobile				
Auto detailing, with handheld machines only	AP	AP	A	Inside parking structures or garages only
Bus yard	N	N	N	
Car wash	N	N	N	
Gasoline sales	N	N	N	
General auto repair	N	N	N	Body work, painting, major mechanical work, etc., as defined in 21.15.280
Minor auto repair	AP	AP	N	Permitted only on the ground floor. Installation or sale of stereos and car alarms prohibited.
Limousine service	A	A	N	Accessory to hotel use only; no auto repair services
Motorcycle/scooter/jet ski sales	AP	AP	N	Conditional use permit when located above the 1st floor. Indoor showroom only. Drop-off for off-site repair is allowed. Oil changes and minor on-site repair of tires, lights, etc., are allowed; any engine repair is prohibited on-site. No engine demonstrations on-site.
Parking structure	A/C	A/C	A/C	Stand-alone and applicable as accessory use to multi-family, hotel, etc. (applies only to parking structure)
Recreational vehicle storage	N	N	N	
Rental agency	A	N	N	Accessory to hotel use only; no auto repair services
Vehicle/automotive parts	AP	N	N	No installation services permitted
Vehicle sales	AP	AP	N	Indoor showroom only, no outdoor sales
Billboards				
Billboards/off-site advertising	N	N	N	Regardless of size
Entertainment				
Amusement machines	A	A	A	Limited to four or fewer
Arcade, bowling alley, miniature golf, tennis club, skating rink, or the like	C	C	N	
Banquet room rental	A/AP	A/AP	N	Accessory use permit when accessory to restaurant or hotel; when not an accessory, an administrative use permit

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Y = Permitted use N = Not permitted C = Conditional use permit AP = Administrative use permit A = Accessory use T= Temporary Use				Code section numbers reference the Long Beach Municipal Code
Dancing	A	A	N	Accessory to restaurant, hotel, banquet room only
Live or movie theater	Y	Y	N	
Private club, social club, night club, pool hall	C	C	N	City council hearing required for new and transferred business licenses
Restaurant with entertainment	Y	Y	N	City council hearing required for new and transferred business licenses
Financial, Professional, and Personal Services				
Basic professional services, non-medical	Y	Y	C	Examples include: barber/beauty shop, catering (w/o trucks), pet grooming, dry cleaner, housing cleaning service, locksmith, mail box rental, nail/manicure shop, repair shop for small appliances or electronics, bicycle sales/repair, tailor, shoe repair, tanning salon, travel agent, accounting, advertising, architecture, artist studio, bookkeeping, business headquarters, computer programming, consulting, contracting, engineering, insurance, law, marketing, photography, real estate, tax preparation, or visitor information center
Basic professional services, medical	Y	Y	Y	Examples include: chiropractors, dentistry, diet/nutrition center, medicine, medical laboratory, professional care providers, psychiatry, psychology, or veterinary clinic
ATM	Y/AP	Y/AP	Y	Permitted (Y) when in building interior; Administrative use permit when on building exterior or as a freestanding, walk-up machine
Bail bonds	N	N	N	Only within 600 feet of a police station, jail, or court
Bank, credit union, savings and loan	Y	Y	Y	Drive-thru windows prohibited
Business support service	Y	Y	Y	Copy, fax, mail box rental, supplies; business equipment rental, sale, and repair
Check cashing, payday loans, cash for gold	N	N	N	Subject to 21.45.116
Escrow, stocks, and bonds broker	Y	Y	Y	

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Y = Permitted use N = Not permitted C = Conditional use permit AP = Administrative use permit A = Accessory use T = Temporary Use				Code section numbers reference the Long Beach Municipal Code
Fitness center, gymnasium, health club, personal training, martial arts studio, dance/ballet studio	Y	Y	Y	
Laundromat	Y	Y	A	
Massage therapy	A/C	A/C	A/C	Subject to 21.51.243; accessory use permit when accessory to other uses; as a principal use, a conditional use permit
Major appliance repair	C	C	N	Permitted only on the ground floor. Stove, refrigerator, upholstery, lawn mowers, etc.
Self-storage, mini-warehouse, etc.	N	N	N	
Shoe-shine stand	A	A	A	Indoor or outdoor
Tattoo parlor	C	C	N	Minimum 1,000 feet from any public school and 200 feet from any residential zone
Termite and pest control	N	N	N	
Vending machines (exterior)	N	N	N	
Institutional				
Adult day care	Y	Y	Y	
Church or other house of worship	Y	Y	Y	
College, university, business or professional school	Y	Y	Y	
Convalescent hospital or home	N	N	Y	
Day care or pre-school	Y	Y	A	When not accessory to a residence
Elementary or secondary school	Y	Y	N	
Emergency shelter	N	N	N	
Government offices, fire or police station, courthouse, library, or other government facility	Y	Y	Y	
Hospital, medical center, urgent care facility	C	C	Y	
Industrial arts trade school or rehabilitation workshop	AP	AP	AP	
Museum	Y	Y	A	
Mortuary or funeral home	N	N	N	Minimum 600 feet from any residential zone, as defined in 21.52.211
Parsonage	A	A	N	Accessory to a house of worship
Social service office	C	C	C	As defined in 21.15.2795 w/ or w/o food distribution

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Y = Permitted use N = Not permitted C= Conditional use permit AP = Administrative use permit A = Accessory use T= Temporary Use				Code section numbers reference the Long Beach Municipal Code
Residential				
Single-family detached	N	N	N	SP
Single-family attached or townhome	Y	Y	Y	Only in a vertically mixed-use project in Transit Node District
Multi-family	Y	Y	Y	
Live-work / artist studio with residence / shopkeeper unit	Y	Y	Y	
Child day care, 14 or fewer children	A	A	A	Subject to 21.51.230
Child day care, more than 14 children	C	C	A	Subject to 21.52.249
Community correctional reentry facility	N	N	N	
Special group residence	C	C	C	As defined in 21.15.2810 subject to 21.52.271
Restaurants & Ready-to-Eat Foods				
Restaurants & ready-to-eat foods	Y	Y	Y	Drive-thru lanes prohibited
Outdoor dining	A	A	A	
Vending cart (food only)	AP	AP	AP	Subject to 21.45.170
Retail Sales				
Basic retail sales	Y	Y	Y	
Building supply or hardware store with lumber, drywall, or masonry	N	N	N	Hardware stores w/o lumber, drywall, or masonry are considered basic retail
Flower stand or newsstand	Y	Y/AP	Y/AP	Subject to 21.45.135, except subsection (B.1.): permitted ('Y') when a principal use; Accessory use permit when an accessory to another use
Itinerant vendor	T	T	T	Permitted only on the ground floor
Major appliance sales	Y	Y	N	Refrigerators, stoves, etc.
Manufacture of products sold on-site	A	A	N	
Outdoor flower, plant, fruit, or vegetable sales	A	A	A	Maximum of 6,000 Sq Ft
Outdoor swap meet, flea market, sales event	T	T	N	Permitted only on the ground floor
Thrift store, used merchandise, consignment	C	C	C	
Vending cart (non-food items)	AP	AP	AP	
Temporary Lodging				
Bed and breakfast inn	AP	AP	N	Subject to 21.52.209; inns with fewer than seven guest rooms are exempt from AP requirement

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Y = Permitted use N = Not permitted C = Conditional use permit AP = Administrative use permit A = Accessory use T= Temporary Use				Code section numbers reference the Long Beach Municipal Code
Hotel	Y	Y	Y	As defined in 21.15.1380
Motel	N	N	N	As defined in 21.15.1380
Youth hostel	AP	AP	N	
Miscellaneous and Other Uses				
Adult entertainment business	N	N	N	Permitted as building material for residential and non-residential uses when all other zoning and building code regulations are satisfied, and subject to Site Plan Review
Cargo/shipping container for residential and non-residential uses	C	C	C	Subject to 21.53.109 and 21.53.113
Carnival, event, fair, fiesta, outdoor exhibition, seasonal sales, trade show, and the like	T	T	T	Building or roof-mounted only, subject to 21.45.115; freestanding monopoles are prohibited
Cellular or wireless facility	Y	Y	Y	
Electric distribution station/substation	N	N	N	
Firearms or other weapons sales or repair	N	N	N	
Medical marijuana dispensary, medical or recreational marijuana retail outlet, THC-laced foods or other edible or consumer product manufacture or sales, marijuana cultivation or grow facility, cannabis collectives or cooperatives, and other similar or related uses	N	N	N	Unless preempted by National, State or local legislation including ballot initiatives impacting Title 5 of the Long Beach Municipal Code
Park, community gardens, parklets	Y	Y	Y	Permitted only on the ground floor. Subject to 21.51.265, no more than four vending machines at one location; excludes attended centers
Recycling center	N	N	N	
Transportation facilities	C	C	C	Bus terminals, cab stands, heliports/helipads, train stations, etc.
Towing – accessory or principal use	N	N	N	

Notes:

- (a) The following alcoholic beverage sales may be exempted from the Conditional Use Permit requirement:
 1. Restaurants with alcoholic beverage service only with meals. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. For example, a sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge without a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a Conditional Use Permit to continue to sell alcohol.
 2. Department store or florist with accessory sale of alcoholic beverages.
 3. A brew pub or other similar facility that produces on-site consumption may offer off-premises sales in accordance with state law.
 4. Grocery stores of 20,000 square feet or greater with accessory sale of alcoholic beverages.

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Motel	N	N	N	As defined in 21.15.1380
Youth hostel	AP	AP	N	
Miscellaneous and Other Uses				
Adult entertainment business	N	N	N	Permitted as building material for residential and non-residential uses when all other zoning and building code regulations are satisfied, and subject to Site Plan Review
Cargo/shipping container for residential and non-residential uses	C	C	C	Subject to 21.53.109 and 21.53.113
Carnival, event, fair, fiesta, outdoor exhibition, seasonal sales, trade show, and the like	T	T	T	Building or roof-mounted only, subject to 21.45.115; freestanding monopoles are prohibited
Cellular or wireless facility	Y	Y	Y	
Electric distribution station/substation	N	N	N	
Firearms or other weapons sales or repair	N	N	N	
Medical marijuana dispensary, medical or recreational marijuana retail outlet, THC-laced foods or other edible or consumer product manufacture or sales, marijuana cultivation or grow facility, cannabis collectives or cooperatives, and other similar or related uses	N	N	N	Unless preempted by National, State or local legislation including ballot initiatives impacting Title 5 of the Long Beach Municipal Code
Park, community gardens, parklets	Y	Y	Y	Permitted only on the ground floor. Subject to 21.51.265, no more than four vending machines at one location; excludes attended centers
Recycling center	N	N	N	
Transportation facilities	C	C	C	Bus terminals, cab stands, heliports/helipads, train stations, etc.
Towing – accessory or principal use	N	N	N	

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 2. Department store or florist with accessory sale of alcoholic beverages.
 3. A brew pub or other similar facility that produces on-site consumption may offer off-premises sales in accordance with state law.
 4. Grocery stores of 20,000 square feet or greater with accessory sale of alcoholic beverages.

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2. contain vague implementation measures



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3 LAND USE PLAN & DEVELOPMENT STANDARDS



3.4.2 Development Intensity

Within the Midtown area, development intensity is regulated by standards for height, floor area ratio (FAR), unit size, and lot size. Table 3-3 and Figure 3-3 provide the minimum and maximum intensity standards. The Transit Node District is divided into two areas, reflecting the need to transition between the more intense development immediately surrounding the transit stations and the surrounding neighborhoods.

To encourage lot consolidation and through-block development, the maximum building height and FAR standards are staggered based on parcel depth. Parcels that are currently at least 200 feet in depth are qualified to reach the maximum development intensity. Parcels of less than 200 feet in depth are permitted to reach a lower level of intensity, but are encouraged to consolidate with adjacent parcels to maximize development potential and avoid orphaned parcels. Development created through lot consolidation shall be developed as a unified site.

The standards in this Plan have been developed to foster an urban street environment. A minimum streetwall height has been established along key streets to maintain a consistent "public room" (as shaped by building

→ TABLE 3-3 DEVELOPMENT INTENSITY STANDARDS

Standard	Transit Node High	Transit Node Low	Corridor	Medical
Maximum building height ^{1,2,3}				
On parcels <200 feet deep	4 st / 50 ft	3 st / 36 ft	3 st / 36 ft	No Limit
On parcels ≥200 feet deep	10 St / 100 ft	5 st / 65 ft	5 st / 65 ft	
Minimum streetwall height			See Figure 3-4	
Minimum ground floor height ⁷	18 ft	18 ft	14 ft	14 ft
Maximum FAR ^{3,4}				
On parcels <200 feet deep	2.0	1.5	1.5	4.0
On parcels ≥200 feet deep	4.0	3.0	3.0	
Minimum unit size ^{5,6}			600 sf	
Minimum lot size		10,000 sf		none

Notes:

1. Architectural projections are building elements (e.g., towers, cupolas) that are added to building faces to provide architectural interest without adding interior floor area. The maximum height of any architectural projection is 10 feet above the maximum building height.
2. If a project straddles two or more height areas, each height area shall remain in effect, as identified on Figure 3-4, unless approved by the Site Plan Review Committee.
3. Parcel depth shall be measured from the property line parallel to and/or fronting Long Beach Boulevard, Spring Street, Willow Street, Pacific Coast Highway, or Anaheim Street. If a parcel cannot be consolidated with an adjacent parcel (e.g., adjacent parcels are outside of the Specific Plan or adjacent parcels have already been developed under the Specific Plan), exceptions can be made by the Site Plan Review Committee. The Site Plan Review Committee shall also consider exceptions for parcels larger than 20,000 square feet where available lot depth is less than 200 feet however a mix of uses at increased height and density may be accommodated consistent with the design guidelines contained in Chapter 3.
4. Sections 21.15.1070 and 21.15.1090 of the Municipal Code define and describe FAR.
5. Up to 15 percent of a project's units may be a minimum of 450 sq ft if approved through the Site Plan Review process and if the Site Plan Review Committee finds that the reduced-size units are high-quality dwelling units with sufficient amenities to be livable, desirable dwelling units, to be determined at the sole discretion of the Site Plan Review Committee. A variety of housing unit types and sizes is required for all development projects.
6. Replacement of any unit demolished, as defined in Section 21.15.750 of the Municipal Code, shall be subject to the required new unit size.
7. The Site Plan Review Committee may reduce the minimum ground floor height to 15 feet if architectural treatments are included to accentuate the ground floor and building entrance.

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LAND USE PLAN & DEVELOPMENT STANDARDS

on both sides of the street). Minimum streetwall heights are provided on Figure 3-4. Streetwalls vary by district—shorter multi-story buildings in the Corridor District, a tier of more intense heights in Transit Nodes (dividing this district into two categories, high and low), and larger institution buildings in the Medical District.

The streetwall is the most visible component of a building. The design of the streetwall is what the user of the street will experience most intimately from the public realm; it is one of the biggest contributors to Midtown's character. See Chapter 5, Design Guidelines, for streetwall design standards.

3.4.3 Building Placement

The placement of buildings plays an important part in creating character and a sense of place in Midtown. Along Long Beach Boulevard and around the transit stations, the standards reflect an urban, walkable atmosphere where dense commercial, residential, and mixed-use buildings are placed close together and create a consistent streetwall that shapes the experience of pedestrians, bicyclists, and passing motorists.

Elsewhere, the setback standards emphasize minimum setbacks to provide attractive landscaping and a buffer from street activity for pedestrians. Standards are identified in Table 3-4 and on Figure 3-4.

TABLE 3-4 BUILDING PLACEMENT STANDARDS

Build-to Line / Setback ¹	Min	Max
Street Fronting		
Zero-foot build-to line ²	0 ft	5 ft
6-foot setback	6 ft	none
10-foot setback	10 ft	none
Interior		
Adjacent to property outside Specific Plan	5 ft	none
Adjacent to side or rear yard of property within the Specific Plan ^{3,4}	5 ft	none
Adjacent to an alley ⁵	10 ft	none
Building to building on same lot	0 ft (shared wall) or 10 ft	none

Notes:

- Setbacks are measured from the closest point of a building to the property line.
- Up to 20 percent of the building frontage may be set back more than 5 feet.
- All uses are allowed to be attached horizontally. Accordingly, the setback requirement at the point of the shared wall is zero.
- No setback is required for commercial or residential above ground-floor commercial; an 8-foot front street setback is required for ground-floor residential, and 5-foot side street setback is required for ground-floor residential.
- Required alley setbacks are measured from the centerline of the alley.

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consolidate bicycle parking into clusters within the public right-of-way along the street frontage.

3.5.3 Transportation System Demand Management

Midtown is served by the Metro Blue Line light rail, local and regional bus services, and shuttle service. In addition, bicycling opportunities and the mixed-use character of Midtown decrease the need for parking spaces from what was required in the past.

New development projects (residential and non-residential), additions, demolitions, rebuilds, and remodels (refer to Sections 21.15.065, 21.15.750, 21.15.2250, and 21.15.225 of the Municipal Code, respectively) are eligible for a parking reduction by incorporating Transportation Demand Management (TDM) strategies. While TDM may reduce parking requirements, all development projects will be required to provide on-site parking. Transportation demand management strategies for Midtown will accomplish two broad objectives:

- Reduce reliance on automobiles and associated congestion and emissions.
- Provide economic incentives for residential, office, and employment projects in Midtown.

TDM strategies applicable to reduce parking requirements, subject to the discretion of the Site Plan Review Committee, include:

- Carpool/vanpools.
- Garage lifts (stacked parking).
- Unbundled parking (parking spaces are rented or sold separately, rather than automatically included with the rent or purchase price of a residential or commercial unit).
- Off-site parking within 1,000 linear feet walking distance of the property line (a shared parking agreement may be required).
- Joint use (shared parking).
- Transit/bicycle/pedestrian system improvements.
- On-street parking rates and time restrictions (adequately monitored).
- Transit passes (provide free or reduced-price transit passes to residents or employees). An incentive program could be developed for developers, property managers, and employers to substitute a percentage of required parking spaces. A maximum limit will be determined.
- Other proposals.

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Garage lifts (stacked) parking may help to increase the capacity of a parking structure.



Paid parking lots are a form of Transportation Demand Management by encouraging drivers to park once and walk, bike, or take transit to their Midtown destinations.

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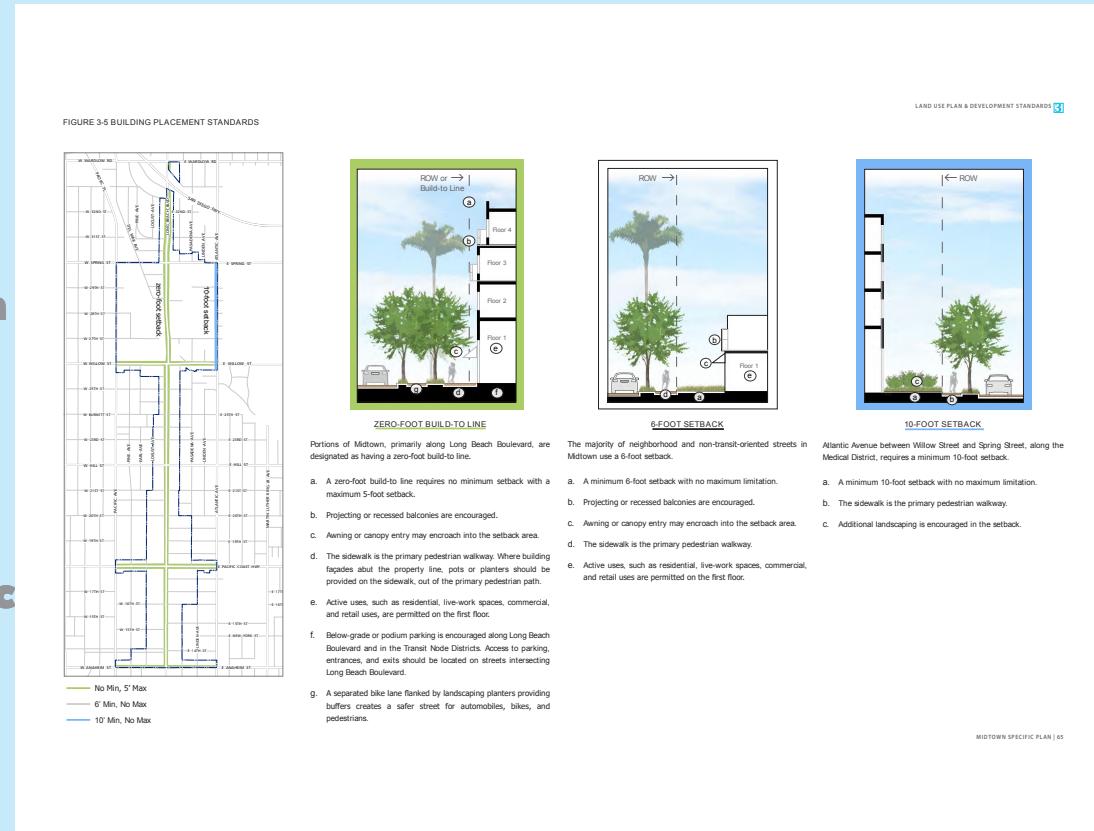


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3.5 PARKING

3.5.1 Off-Street Parking

Table 3-5 provides the residential and non-residential parking requirements for development within Midtown. If different land uses are part of the same project (e.g., mixed-use development combining retail and residential), the parking requirements for each land use are applicable and shall be added together to determine the total parking requirements for the project.

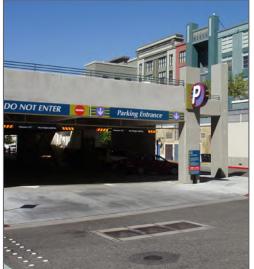
Parking and loading requirements not provided in this section shall be subject to review by the City Traffic Engineer, who may require additional studies prior to approval. All parking reduction requirements shall be approved at the discretion of the Site Plan Review Committee, which will determine the appropriate level of parking demand reduction generated by these strategies on a project-specific basis.

In the calculation of parking requirements, fractional numbers of parking spaces shall be rounded up to the nearest half or whole number, depending on the requirement.

→ TABLE 3-5 MINIMUM OFF-STREET PARKING REQUIREMENTS

Use	Corridor & Medical	Transit Node	Notes
Residential			
0-1 bedroom	1.0	1.0	per unit
2 bedrooms	1.25	1.25	per unit
3 or more bedrooms	1.5		per unit
Special group residence, assisted living, congregate care	1.0	0.75	per 3 bedrooms
Senior housing			
Market rate/rent	1	0.75	per bedroom
Income restricted/low rent	0.5	0.33	per bedroom
Shopkeeper or live-work	1.5	1.25	per unit
Guest parking	1.0	1.0	per 4 units
Non-residential			
Hotel	0.5	0.5	per room
Medical office	5	3	per 1,000 sq ft
Hospital	2	2	per bed
All other uses	2.0	2.0	per 1,000 sq ft In the Transit Node District, this requirement only applies to non-residential building space in excess of 4,000 sq ft Restaurants calculated based on sq ft of dining area; no additional parking requirement for the first 250 sq ft of outdoor dining space.

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Off-street parking may be accommodated by surface parking lots or parking garages. The size, scale, and type of garage (underground vs. above ground) may vary with the type of project. See Chapter 5 for design guidelines pertaining to corridor parking.

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TOOLS



Additional bicycle parking may help to foster a multi-modal street environment.

Off-street parking spaces can be satisfied through the provision of smaller spaces designed specifically for motorcycles or motorized scooters:

- Up to 2 spaces for projects with up to 20,000 square feet of gross floor area of non-residential space or 50 residential units.
- Up to 5 spaces for projects with more than 20,000 square feet of gross floor area of non-residential space or 50 residential units.

Development in the corridor is required to provide electric vehicle charging facilities:

- For all new development at least 3 percent of the total parking spaces, but not less than one, shall be capable of supporting future electric vehicle supply equipment.
- A label stating "EV Charge Capable" shall be posted in a conspicuous place at the service panel or subpanel and the EV charging space.
- It is recommended that other off-site parking areas accommodate Level 2 electric vehicle charging stations in anticipation of changes to the California Building Code requirements.

3.5.2 Bicycle Parking

Table 3-6 describes the bicycle parking requirements for the Midtown planning area. Bicycle parking may consist of several types of facilities, hitching posts/staple racks, "A" frames, stand-alone racks, bicycle lockers, etc. Bicycle parking facilities are encouraged to be used as functional public art and should be located in convenient, visible, and well-lit areas. Non-residential property and business owners are also encouraged to

→ TABLE 3-6 ON-SITE BICYCLE PARKING REQUIREMENTS

Use	Minimum Bicycle Capacity	Type of Parking Facility	Location
Residential, shopkeeper unit, or live-work unit	1.0 space per 2 units. 1 enclosed locker required for every 50 dwelling units	A-frame or freestanding rack	Near main entrance with good visibility, not to obstruct auto or pedestrian movement
Commercial	1.0 space per 5,000 sq. ft. of building area	Staple or new technology	
Retail	1.0 space for each 7,500 sq. ft. of building area	Staple or new technology	
Schools	8.0 spaces per 40 students	A-frame, freestanding racks	Near office entrance with good visibility, in fenced area
Public facilities	8.0 spaces per location	Staple or freestanding racks	Near office entrance with good visibility
Transit stations	1.0 space per 30 parking spaces	Lockers	Near platform or security guard

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amenities in the same general area where the fees were generated. Park fees and the creation and improvement of traditional park space is in addition to reconfiguration of public right-of-way into new Parklets. In many circumstances new development will be subject to both separate fee and/or improvement requirements.

3.6.2 Public Right-of-Way

Midtown's rights-of-way are one of its most visible features. For many visitors and Long Beach residents and workers, the rights-of-way define the image of Midtown. The Midtown Specific Plan establishes substantial improvements for the rights-of-way so that they are more attractive, safe, and functional for all to use and see.

Open space in the public right-of-way may consist of pedestrian and bicycle space, outdoor dining, landscaping, benches, and public art. The concepts and standards in this Plan require high quality design, materials, and landscaping for the right-of-way areas. Project applicants should treat the rights-of-way as an extension of public park space.

3.6.3 On-Site Open Space

On-site open space is required for residential and non-residential development projects within the Midtown Specific Plan. Projects within 500 feet of a proposed parklet may pay an in-lieu fee to waive the on-site open space requirement.

Requirements for development projects in Midtown are provided in Table 3-7. Up to 50 percent of required residential open space may be provided as common open space, subject to Site Plan Review Committee discretion on the quality and amenities provided in the common open space. Private residential open space may include balconies, patios, private roof decks and similar.

A property owner may provide on-site open space (common or unit-based) within their development as a desirable property amenity and a way to distinguish their project. However, the provision of such open space shall not offset or satisfy any portion of the public park space or ROW improvement requirements. Required build-to lines and street setback areas cannot be used to satisfy required open space areas.

TABLE 3-7 ON-SITE OPEN SPACE REQUIREMENTS

Use	On-Site Open Space Requirement	Minimum Dimensions
Residential	50 sq ft per unit	5 ft
Non-residential	10% of the project area	10 ft

Notes:

- Mixed-use projects are subject to the requirements of this table in an additive manner, residential and non-residential requirements apply to the proportionate area of each use within the project.
- All requirements apply to on-site open space attached to a unit or building.



Photo Credit: Nelsen Carlson + Partners
A green roof at Park Landing in Buena Park, California, provides on-site open space for building residents.



Photo Credit: Green Fitness Studio, NYC
A rooftop can also provide a space for active recreation.

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Packard Motors Building at 205 East Anaheim Street is a designated historic landmark and could be a candidate for an adaptive reuse project.

Photo Credit: RoseladeArchitecture.com

3.6.4 Green and Active Roofs

Green roofs, also known as eco-roofs, are encouraged in the Midtown Specific Plan area. These roofing solutions can create additional on-site open space, reduce stormwater runoff, lower energy consumption, and provide for a visually interesting roofscape. Green roofs can support community gardens, small gathering spaces for barbecues, and areas for play. rooftops also provide an opportunity to offer on-site amenities such as fitness equipment, a small running track, and even a pool or basketball court. With temperate weather in Long Beach, these types of amenities could be enjoyed by building occupants year round.

3.7 ADAPTIVE REUSE

Adaptive reuse refers to a construction or remodeling project that reconfigures a site to accommodate a new use or a purpose other than for what it was originally designed. The City seeks to encourage adaptive reuse to allow for the conversion of existing structures into new land uses that maintain or enhance the character of the community and further extend the life of a building or space.

Examples include the conversion of an old office building into residential lofts, or the conversion of a historic home for office or retail space. The Midtown area contains some buildings, including the Packard Motors Building, that may be a candidate for adaptive reuse. Buildings of potential historical significance were studied in the EIR for this Specific Plan, see Chapter 7 Administration and Implementation, Section 7.3.2 Cultural Resources for information regarding development or redevelopment of these buildings, which includes adaptive reuse.

The City actively identifies structures that exhibit a special architectural and historical value as historic landmarks. The City Council designates historic landmarks, districts, places, and objects by ordinance. However, a building does not need to be a designated landmark to comply with the City's Adaptive Reuse Incentive Program.

Property owners and developers are encouraged to seek creative solutions when proposing new projects in Midtown. Adaptive reuse projects should maintain or enhance the character of the community and further extend the life of a building or space.

The City's Adaptive Reuse Program and Ordinance streamline the planning process, provide a framework for sustainable development and allow greater flexibility to better serve the needs of the changing community. The City offers preliminary consultations to facilitate adaptive reuse projects and applicants should also consult the City's alternative building standards which includes components from the Long Beach Municipal Code, the California Building Standards Code, and the State's Historic Building Code.

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4.0 Mobility and Streetscape

The mobility and streetscape plan for Midtown is guided by the City's General Plan Mobility Element. Creating an efficient, balanced, multi-modal mobility network is a priority for both plans. Although Long Beach Boulevard is already a multi-modal corridor, this Plan puts an emphasis on integrating autos, public transit, bicycles, and pedestrians into a complete street. Synchronizing traffic signals, reconfiguring streets and freeway ramps, and applying a context-sensitive approach to balance the mobility system along the boulevard are just a few of the strategies that will help to create an enjoyable area for all users of the corridor.

The City put a new focus on mobility starting with the 2013 update to the General Plan Mobility Element. The Element presents future plans for improving the way people, goods, and resources move within and across the City. New features of the Plan include improving the quality of life for residents and protecting the natural environment—for today and into the future.

One component of improving quality of life is to increase active transportation. Modes of active transportation include walking, cycling, and skating. Promoting these types of alternative transportation modes can help to alleviate roadway congestion, reduce greenhouse gas emissions, and improve air quality, while helping residents to improve their own health and wellness. The majority of bicycle and pedestrian infrastructure improvements in Midtown capitalize on active living transportation. These infrastructure upgrades are designed to change the physical environment and improve the way people interact with and move along the corridor.

4.1 COMPLETE STREETS

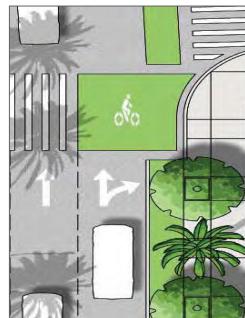
A complete streets roadway network provides safe and convenient access for all users—motorists, bicyclists, pedestrians, and transit riders. Complete streets are accessible to all ages and abilities. They are designed and operated to make it easier to cross the street, walk to shops, and bicycle to work. Ultimately, they improve safety for all users. The complete streets network for Midtown consists of four types of facilities—pedestrian, bicycle, vehicular, and public transit.

Each design for a complete street is unique. The updated street designs for the Midtown Specific Plan area combine the existing amenities along the corridor with new features such as additional bike lanes, wider sidewalks, landscaping buffers, and improved intersection crossings. This corridor benefits from access to the Metro Blue Line and a future connection to the Green Line. Special care has been taken to improve access to the Metro stops for multiple modes of transportation.

MOBILITY 4

Mobility is the movement of goods and people through an area. For Midtown, mobility starts with feet first. The network of sidewalks, bike paths, streets, and transit lanes has been designed to make it safe for all modes of transportation. In a transit-oriented area, connections to transit nodes are particularly important.

The mobility plan in this chapter provides redesigned street sections and pedestrian and bicycle enhancements to improve multi-modal transportation for the corridor.



Bike boxes are a roadway treatment applied to improve bike safety at intersections. They give cyclists priority at an intersection by bringing awareness and visibility of bikes on the road to other users of the street.

A context-sensitive street classification system categorizes streets into a hierarchy organized by both function and community context, taking into account all road users and the character of adjacent properties and buildings.

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4 MOBILITY

4.2 STREET CLASSIFICATIONS

Streets within the Midtown Specific Plan are divided into six classifications: Regional Corridor, Boulevard, Major Avenue, Minor Avenue, Neighborhood Connector, and Local Street. These classifications are consistent with the General Plan Mobility Element and reflect the roadway character from a context-sensitive approach. Table 4-1 provides a description of each classification, and Table 4-2 identifies the classifications for each of the major streets within the Specific Plan area. Figure 4-1 maps the street classifications in and around the Midtown Specific Plan.

TABLE 4-1 GENERAL PLAN STREET CLASSIFICATIONS

Regional Corridor	Designed for intraregional and intercommunity mobility, these corridors emphasize traffic movement and include signalized pedestrian crossings. The adjacent land uses should provide continuous mixed-use and commercial land uses with adequate off-street parking to minimize dependency on on-street parking.
Boulevard	Characterized by a long-distance, medium-speed corridor that traverses an urbanized area, boulevards consist of four or fewer vehicle travel lanes, a balanced multi-modal function, landscaped medians, on-street parking, narrower travel lanes, more intensive land use oriented to the street, and wide sidewalks. Buildings uniformly line the edges.
Major Avenue	A major avenue serves as the major route for the movement of traffic within the City as well as a connector to neighboring cities. Most traffic using a major avenue will end the trip within the City (as opposed to through-traffic). Therefore, design treatment and traffic operation should give preference to this type of traffic. Long corridors with typically four or more lanes, avenues may be high-transit ridership corridors. Goods movement is typically limited to local routes and deliveries.
Minor Avenue	A minor avenue provides for the movement of traffic to neighborhood activity centers and serves as a route between neighborhoods. Avenues serve as a primary bicycle route and may serve local transit routes as well.
Neighborhood Connector	A neighborhood connector street serves trips generated in surrounding or adjacent neighborhoods and should discourage through-trips that do not end within the neighborhood. Goods movement is restricted to local deliveries only.
Local Street	Local streets primarily provide access to individual residential parcels. The streets are generally two lanes with on-street parking, tree planting strips, and sidewalks. Traffic on a local street should have a trip end on that street or on a connecting local street or to a connector.

Source: City of Long Beach General Plan Mobility Element, 2013.

TABLE 4-2 MIDTOWN STREET CLASSIFICATION

Regional Corridor	Pacific Coast Highway
Boulevard	Long Beach Boulevard from 31st Street to Anaheim Avenue Willow Street
Major Avenue	Long Beach Boulevard from Wardlow Road to 31st Street Atlantic Avenue Spring Street between Atlantic Avenue and Long Beach Boulevard
Minor Avenue	Pacific Avenue between Spring Street and Hill Street Spring Street between Long Beach Boulevard and Pacific Avenue
Neighborhood Connector	Hill Street
Local Street	Neighborhood streets not noted above

Source: City of Long Beach General Plan Mobility Element, 2013.

Note: For segments of the streets within the Specific Plan boundaries.

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DESIGN GUIDELINES 5

- a. The building mechanical equipment should be housed within the building or enclosed in a penthouse structure that is incorporated with the design of the building.
- b. When mechanical equipment is placed on a rooftop, it should be located below the highest vertical element of the building wherever possible to avoid the use of penthouse structures or other special screening devices.
- c. When mechanical equipment is added to an existing building, it should be screened in such a way as to match the architectural style and materials of the existing building without giving the appearance of being added on.
4. Roof drains should be designed as an integral part of the structure.
5. Roof access should be provided from the interior of the building. Exterior roof access ladders are not appropriate.
 - 5.1.4 Building Colors and Materials
 1. Buildings shall use durable, high quality materials to develop long-lasting buildings that can be adaptively reused over time.
 - a. Brick, natural stone, precast concrete, and factory-finished metal panels (heavy gauge only, in corrugated or flat sections) are preferred.
 - b. Alternatives to stucco are preferred. When stucco is used it should be applied with a smooth finish. Stucco seams should be used to create visual interest for the building's façade and form.
 - c. The finish, texture, and color of materials should be compatible with the overall architectural theme.
 2. Greater attention to detail and quality should be used at the lower levels of a building to contribute to an enhanced streetscape.
 3. Encourage buildings to express a variety of architectural styles, but with full awareness of, and respect for, the height, mass, articulation, and materials of the high quality (desirable) older buildings that surround them.
 4. Architectural style and use of quality materials shall be consistent throughout an entire mixed-use project; however, variations in materials and details may be used to differentiate between the residential and commercial portions of the project.
 5. Construction details should be authentic and applied with consistency. Faux architecture that mimics a past era is strongly discouraged.



High quality materials should be used and emphasis placed at the pedestrian level.



Variation in materials and color should be used to express form changes.



Stone, granite, precast concrete, and other high quality materials are encouraged.

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4.7 STREET SECTIONS

The streetscape layout is one of the most important aspects of this Plan. To improve connectivity and safety for multiple modes of transportation, modifying existing streets may involve expanding one part of the roadway and reducing another. For example, adding a bicycle lane will require additional street right-of-way. This additional space may be acquired by eliminating street parking or narrowing the travel lanes.

The street sections in this document are illustrations depicting typical conditions for the streets shown. Right-of-way may vary along the street. The following pages provide typical midblock sections for the street designations in the planning area (see Table 4-2). Each street section is provided on a single cutsheet. This page is a guide to street sections that follow.

FIGURE 4-4 GUIDE TO TYPICAL MIDBLOCK STREET SECTIONS

General Plan Mobility Element Designation

SAMPLE MIDBLOCK STREET SECTION

General Plan Mobility: Secondary Transit Priority Street
Pedestrian Priority Area

Mobility Supported: Pedestrian, Vehicle, Bicycle, Transit

Key Features and Enhancements

- A focus on the pedestrian experience
- Transit amenities
- Signal synchronization

Streets Long Beach Boulevard

Icons indicating multi-modal transportation options

List of the streets this section applies to

Section Notes Additional canopy

Provides call outs for enhanced features of the streetscape, such as additional canopy trees

ROW XXX'-XXX' CURB-TO-CURB

Section note

Travel zones and applicable widths

Building Sidewalk Bike Path Parking/ Travel Lane Travel Lane Transit Lane Median Travel Lane Parking/ Travel Lane Bike Path Sidewalk Building

Ped/Bike Zone Vehicular Zone

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5 DESIGN GUIDELINES



Active commercial uses should make up the majority of the building's ground floor, to serve residents, visitors, and transit users.

5.10 TRANSIT STATION AREAS

1. Transit amenities such as bus stops, seating, bike racks, bike storage, and showers should be integrated into new projects to promote the use of alternative transportation.
2. The ground floor of buildings should comprise mostly active commercial uses to enliven the pedestrian environment and provide retail experiences and services to transit users.
3. Enhanced pedestrian lighting should be incorporated into the design of new projects to augment the safety of the station areas.
4. The design of plazas, with seating and landscape elements, at the corners of buildings adjacent to transit station areas is encouraged to provide public open space for residents, visitors, and transit users.
5. The provision of publicly accessible restrooms as part of a new project in a transit station area is strongly encouraged.
6. Proposed projects within 100 feet of a Metro facility shall supply written notice to Metro upon filing of their Site Plan Review Application. Projects within 100 feet of a Metro facility shall be designed consistent with Metro policy and guidelines and shall offer the appropriate noise easement to the benefit of Metro.



Light poles should be out of the public right-of-way and should be a similar style with the architecture of surrounding buildings.

5.11 OUTDOOR LIGHTING

1. Lighting fixtures should be compatible with the architecture of surrounding buildings to maintain a consistent and cohesive theme.
2. Light fixtures shall be made of materials that have long life spans and are able to withstand constant use and exposure to the elements.
3. Pedestrian-scale lighting shall be provided at building entryways, vehicle and bicycle parking areas, seating areas, transit stops, common open space areas, and pedestrian paths. The type, style, and intensity of lighting should reflect the use and character of the area.
4. The height, brightness, and spacing of lighting elements should be appropriate to the scale and classification of the roadway.
5. Pedestrian lights shall be placed at consistent height and interval to sufficiently illuminate pedestrian path of travel.
6. Lighting levels shall be adequate for safety while minimizing light spillage and glare.
7. Light poles and freestanding fixtures shall be placed outside of pedestrian walkways.

SPECIFIC PLANS: AN INTRODUCTION

THE PLANS DOES NOT:



1. fail to map or describe major infrastructure components



especially energy and trash facilities



2. contain vague implementation measures



3. do not address infrastructure financing



4. do not explain how the specific plan carries out the general plan

INFRASTRUCTURE

6.0 Infrastructure

6.1 WATER

The City of Long Beach provides water service and distribution to all of the City's residents and businesses. The Long Beach Water District (LBWD) receives water from three main sources: imported water from Metropolitan Water District (MWD), groundwater pumped and treated from municipal wells, and recycled water. The LBWD operates the largest groundwater treatment plant in the United States and has the capability to treat up to 62.6 million gallons of water per day (MGD). MWD is the City's wholesale supplier and the primary source of imported water originates from the Colorado River and the State Water Project.

The Midtown Specific Plan area is served by a variety of lines (from 2' to 30') located in the public streets, alley ways, parks, and parking lots. Using the existing hydraulic water model LBWD did not identify any existing deficiencies or fire flow issues in or around the Specific Plan area. Additionally, no major water infrastructure improvements are planned in the area beyond the standard maintenance and replacement program currently implemented through the LBWD's Capital Improvement Program. However, new development within the Specific Plan area may require the construction of new on-site water lines. Projections using the current water model identified that an existing 8" line in Transit Node 6 may require upsizing dependent upon additional development in Corridor 3 and Transit Node 6. Additional fire flow and pressure tests are required for projects serviced by this 8" line. Figure 6-1 illustrates the water system for Midtown and location of possible future pipe upsizing.

6.2 SEWER

Long Beach provides sewer/wastewater service to the area addressed by the Midtown Specific Plan. The majority of the sewer system in this area is within design capacity under both existing and potential buildup conditions. The findings of the analysis conducted for this Specific Plan are consistent with the City's 2013 Sewer Master Plan, which did not identify any deficiencies within the main sewer lines of the Specific Plan area.

While a few segments are currently flowing above the design capacity, replacement and upsizing are not immediately required and are instead identified as needing additional study. No segments are known to flow significantly above the design capacity. Transit Node Districts 5 and 6 contains lines suggested for further study (project specific flow monitoring and modeling) prior to the construction of new development projects. Figure 6-2 identifies existing lines and the areas requiring additional evaluation.

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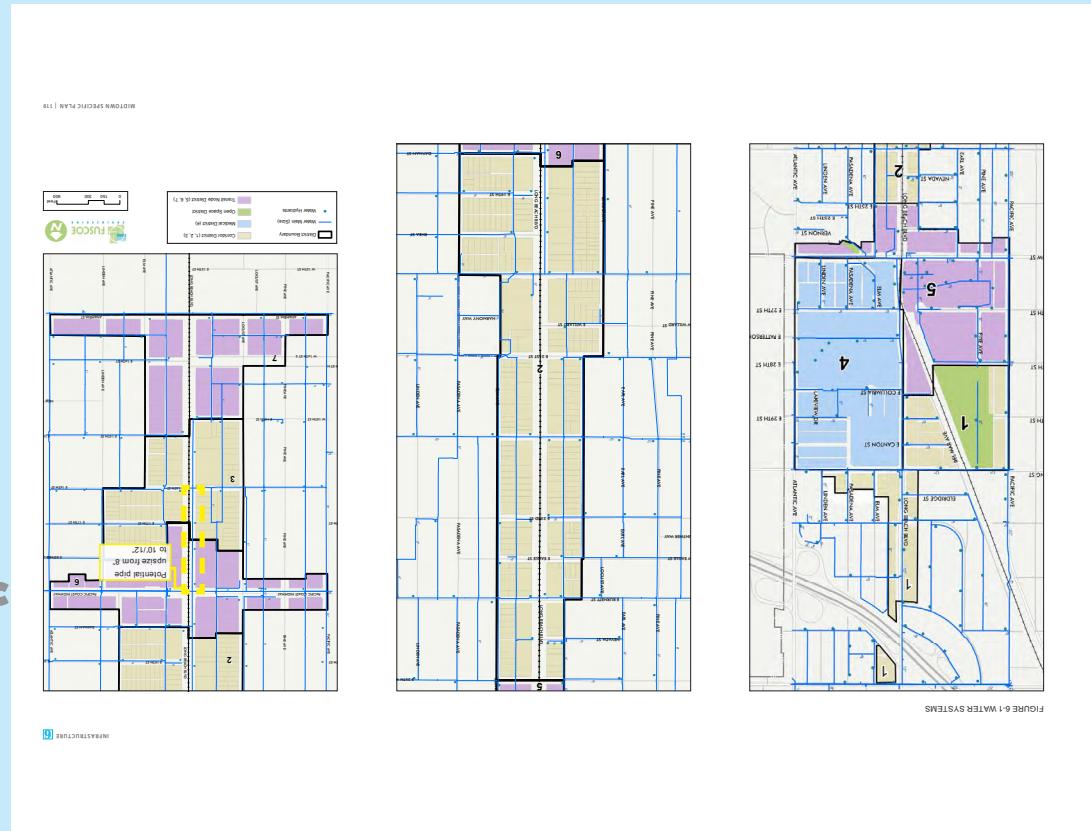
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7 | ADMINISTRATION & IMPLEMENTATION

TABLE 7-1 LIST OF PROPERTIES RECOMMENDED FOR FUTURE EVALUATION

Reference Number	APN	Street Number	Street Name	Build Date
1	7209010002	00350	20th Street	1919
2	7209011014	00330	20th Street	1923
3	7209011017	00405	20th Street	1928
4	7209011012	00425	20th Street	1939
5	7206005901	00101	28th Street	1952
6	7269014009	00141	Anaheim Street	1930
7	7269015018	00233	Anaheim Street	1946
8	7269029022	00501	Anaheim Street	1927
9	7269029021	00535	Anaheim Street	1929
10	7207010041	02801	Atlantic Avenue	1959
11	7207000930	02865	Atlantic Avenue	1960
12	7206023025	00220	Canton Street	1913
13	7206023001	00208	Columbia Street	1908
14	7209008013	00407	Dayman Street	1933
15	7269027006	01331	Elm Avenue	1915
16	7269023013	01551	Elm Avenue	1910
17	7269023012	01561	Elm Avenue	1906
18	7269023011	01567	Elm Avenue	1910
19	7269023009	01585	Elm Avenue	1919
20	7208022021	02219	Elm Avenue	1912
21	7208022019	02225	Elm Avenue	1895
22	7208022016	02255	Elm Avenue	1915
23	7208022900	02295	Elm Avenue	c1930s
24	7208010015	02425	Elm Avenue	1922
25	7208010014	02433	Elm Avenue	1915
26	7208010013	02443	Elm Avenue	1922
27	7269021017	00324	Esther Street	1926
28	7269020021	00351	Esther Street	1910
29	7269021039	00400	Esther Street	1913
30	7269021026	01711	Linden Avenue	1923
31	7269021028	01723	Linden Avenue	1915
32	7269021029	01731	Linden Avenue	1916
33	7269021030	01741	Linden Avenue	1922
34	7269020031	01765	Linden Avenue	1912
35	7207000951	02898	Linden Avenue	1959
36	7269014004	01333	Locust Avenue	1925
37	7269014800	01331	Locust Avenue	c1920s
38	7269016147	01427	Long Beach Boulevard	1946
39	7209015009	01883	Long Beach Boulevard	1954
40	7209015003	01885	Long Beach Boulevard	1923
41	7209013009	02069	Long Beach Boulevard	1925
42	720901104	02070	Long Beach Boulevard	1925

SPECIFIC PLANS: AN INTRODUCTION

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- especially energy and trash facilities
-  **2. contain vague implementation measures**
-  **3. do not address infrastructure financing**
-  **4. do not explain how the specific plan carries out the general plan**

7 ADMINISTRATION & IMPLEMENTATION

7.3.3 Implementation Tasks

The following six tasks are intended to guide the City through near-term implementation of the Midtown Specific Plan.

Task 1. General Plan Amendment

In order for the Midtown Specific Plan to be implemented, the City's General Plan may need to be amended for consistency.

Land Use Element Changes. If the current effort to update the City's General Plan Land Use Element has not been adopted within 12 months of adoption of the Midtown Specific Plan, the City shall initiate a General Plan Amendment. An amendment to the Land Use Element is required as some of the current General Plan land use designations do not allow for a mix or the density/intensity of uses as proposed in this Plan. The General Plan Land Use Map also needs to be amended to change the current land use designations for the area to the designation of Midtown Specific Plan.

Mobility Element Changes. If implementation of the parklets move forward an amendment to the City's General Plan Mobility Element will be necessary to memorialize the closures and update roadway classifications consistent with the mobility plan in Chapter 4 of this Specific Plan. There is not a time frame for completion of this task as a General Plan Amendment to the Mobility Element will only be necessary if and when parklet projects are implemented.

Task 2. Adopt Interim Development Agreement Policy

It is likely that property owners and developers will propose new developments after the Specific Plan is adopted, but before other components of the public realm improvement implementation program are completed. In such cases, the City should negotiate with those developers to provide on-site and public right-of-way improvements and/or pay fees commensurate with the expected level of development impact fees.

In no case shall a development agreement be used to alter or in any way vary from any of the regulatory standards, design guidelines, or other requirements of the Specific Plan. The City shall adopt the interim development agreement policy either in conjunction with the adoption of the Specific Plan or within approximately 36 months of its adoption.

Project proposals occurring prior to the interim development agreement policy shall be subject to both payment of Park and Recreation Fees (as established in Chapter 18.18 of the City's Municipal Code) and a separate requirement to construct parklets and/or pay fair-share fees toward that construction within the public right-of-way.

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7 ADMINISTRATION & IMPLEMENTATION

Emerging Funding Sources

New funding sources may become available during implementation of this Specific Plan. Two tools, described below and on the next page, may eventually be available to fund improvements in Midtown.

It should be noted that these tools are not currently a proven short-term source of funding as their uses and applications are limited and evolving.

Infrastructure Financing Districts (IFD). Recent legislation enabled the formation of IFDs in former redevelopment project areas, such as Midtown.

An IFD diverts new local property tax revenues to either pay directly for the construction of infrastructure and public facility improvements, or to issue bonds to finance those improvements.

However, IFDs cannot divert property tax increment revenues from schools and can only pay for public facilities like roads, sewer, water, libraries, and parks—not routine operations and maintenance or, except in limited cases, affordable housing or economic development projects.

However, onerous approval requirements may limit the formation of an IFD: two-thirds of property owners or voters must vote in favor of forming the district, and all affected taxing entities (e.g., counties, special districts) must approve the contribution of their portion of the tax increment to the IFD.

of applying for grants. ATP combines several preexisting competitive grant programs for funding pedestrian and bicycle improvements, including the Bicycle Transportation Account, Safe Routes to School Programs, and a share of the Highway Safety Improvement Program funding. Forty percent of the funding will go to metropolitan planning organizations in urban areas. Small urban and rural regions will receive 10 percent, and the remaining 50 percent of the funds will be awarded to projects statewide. The Caltrans grants require a local funding match. The SCAG grant program will also release a call for projects upon approval of its guidelines by the California Transportation Commission.

Long Beach is historically competitive for funding under the programs absorbed into the ATP. Long Beach received \$433,500 from the Bicycle Transportation Account in 2010-2011 for closing gaps in the bicycle lane network. The City received \$450,000 from the 2010-2011 Safe Routes to School Program for construction of a Class III bikeway, partially located within Midtown on 15th St. between Long Beach Boulevard and Pacific Coast Highway. And Long Beach received funding from the Highway Safety Improvement Program in 2011 for intersection and road diet improvements on Martin Luther King Jr. Avenue between Seventh Street and Sixth Street and Alamitos Avenue at Seventh Street.

• **California HCD Housing-Related Parks Program.** The Housing-Related Park Program provides grants for the creation of new parks or rehabilitation or improvements to existing parks. The program criteria reward local governments that approve housing for low-income households and are in compliance with the state housing element law. Grant amounts are based on the number of bedrooms in very low and low income housing units in documented housing construction that starts within the 12 months preceding the notice of funding issuance. No local funding match is required. In 2013, a total of \$25 million was awarded, with a minimum award of \$75,000.

• **California HCD Infill Infrastructure Grant (IIG) Program.** The IIG provides grants to provide gap funding for new construction and rehabilitation of infrastructure that supports higher-density affordable and mixed-income housing in locations designated as infill. Eligible activities include new construction, rehabilitation, and acquisition of infrastructure required as a condition of or approved in connection with approval of Qualifying Infill Projects or Qualifying Infill Areas. The most recent release of funds was in May 2013 and provided \$70 million. A city must apply as a co-applicant with the developer of a qualifying affordable housing project. The 2013 round provided a minimum of \$500,000 and up to \$4 million to grantees; local funding matches were not required but improved competitiveness.

• **California HCD TOD Housing Program.** Low-interest loans are available as gap financing for rental housing developments that

TYPES OF SPECIFIC PLANS



1 Master Planned Developments

- A type of specific plan that is typically created when a single large landowner wants to create a master-planned development on a very large parcel of land.

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 3. the public facilities and capital infrastructure needed to support the project

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Example)



Tejon Ranch

<https://vimeo.com/223138950>

TYPES OF SPECIFIC PLANS



② Large properties with multiple owners

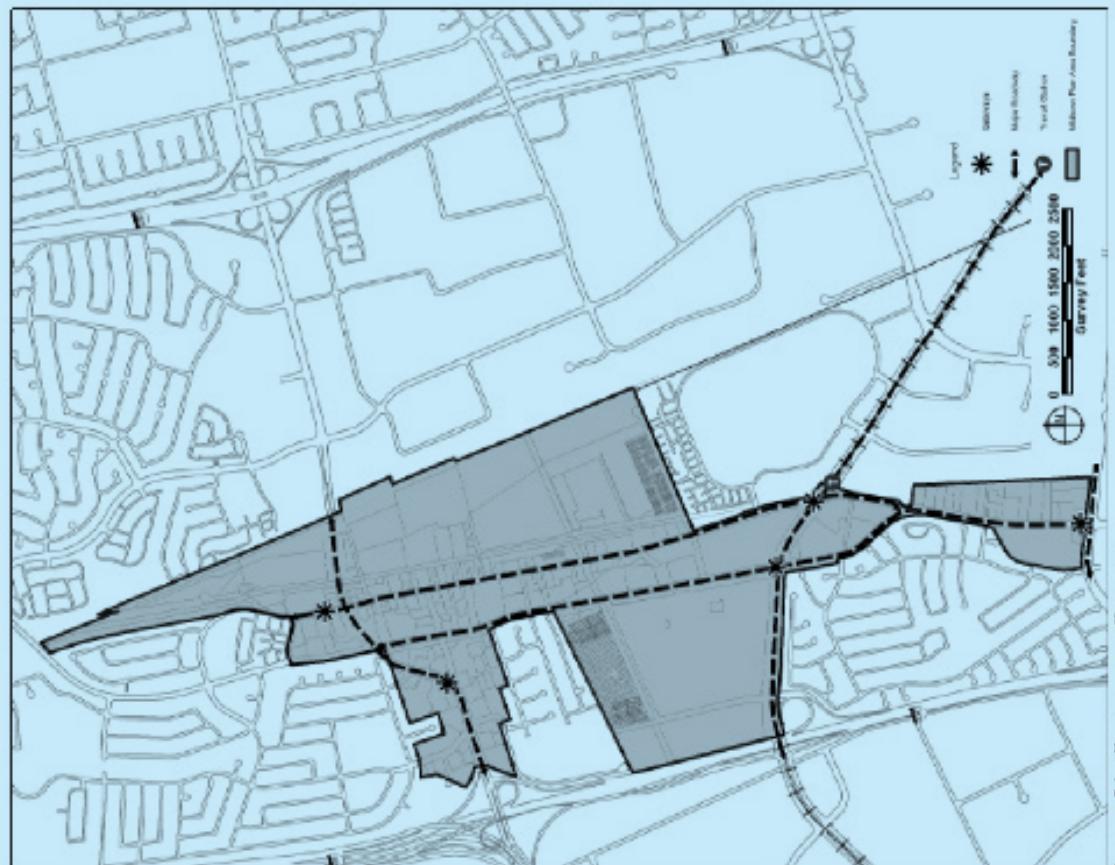
- In many cases, a city or county concerned about, or wanting to encourage, rapid growth in a newly developing area, and will require landowners to cooperate with each other in a specific plan for the entire area.

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- This ensures that a coordinated development and infrastructure plan will be created (and, one would hope followed) as the area is developed.



Example)

Milpitas Midtown Specific Plan

http://www.ci.milpitas.ca.gov/_pdfs/plan_plan_midtown.pdf

TYPES OF SPECIFIC PLANS



③ Downtown revitalization and transit-oriented developments

- As part of the urban infill trend, many cities have adopted specific plans to enable the higher-density and mixed-used development that is appropriate for a town center or within walking distance of a major transit center

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- Downtown and transit-oriented specific plans often combine elements of general plans, such as long-term goals, and zoning, such as precise standards.

TYPES OF SPECIFIC PLANS



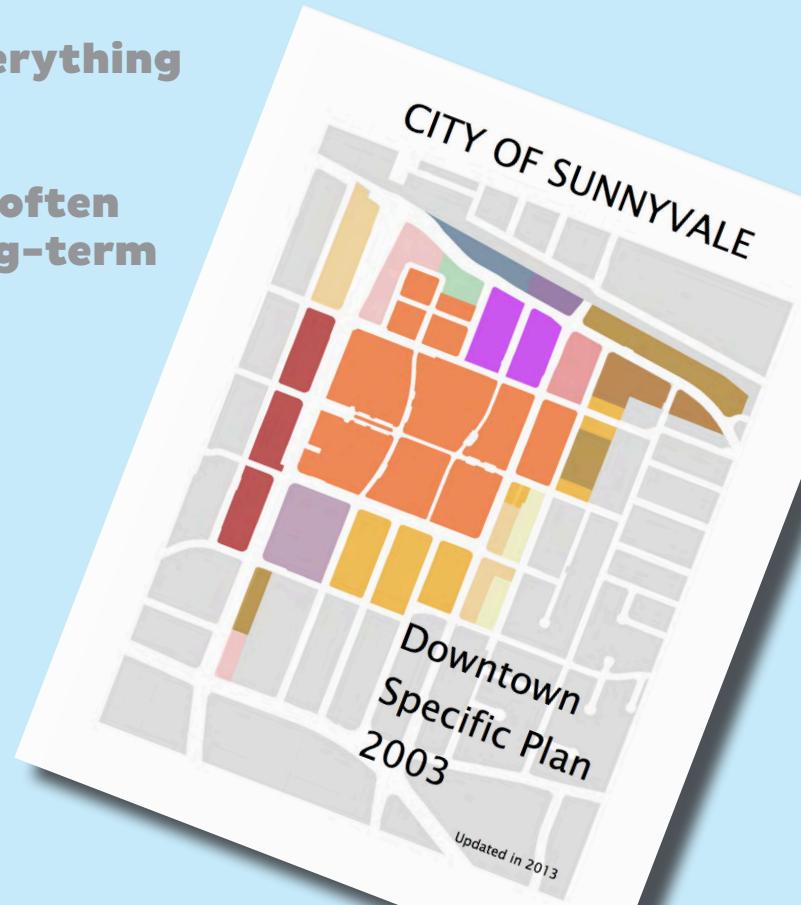
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Example)

Sunnyvale Downtown Specific Plan

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=22785>



DEVELOPMENT AGREEMENTS: AN INTRODUCTION



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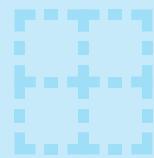
General Plan



Zoning Ordinances



Specific Plan



Subdivision Map Act



**Development
Agreements**



CEQA

DEVELOPMENT AGREEMENTS: AN INTRO



- Development Agreements

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- In return, the developer gets a legally binding promise that he or she may build the project, even if the locality later passes growth controls.
- Like specific plans, development agreements cover projects of all types and sizes, from new towns with shopping centers and thousands of homes, to single buildings.

DEVELOPMENT AGREEMENTS: AN INTRO



▪ Brief History of Development Agreements

- Development agreements were authorized by the legislature in 1979 (Government Code §§ 65864–65869.5) in response to the California Supreme Court's decision in 1976 that made obtaining vested rights much more difficult.

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▪ Brief History of Development Agreements

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- Theoretically, DAs must conform with local general plans. But in practice, everything is thrown open for discussion—especially because DAs are often processed concurrently with general plan amendments and specific plans.
- There might be more backroom negotiating over development agreements than about anything else related to planning and development in California. Still, the law specifically classifies DAs as legislative, so they are subject to initiative and referendum. And they have, on occasion, been turned down by the voters.

USES OF DEVELOPMENT AGREEMENTS



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Example)

Mountain Meadows
Moorpark, CA



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Example)

Mountain Meadows

Moorpark, CA

- Urban West Communities, a homebuilder, negotiated a 10-year DA for a 2,500-home subdivision called "Mountain Meadows". Relying on the agreement, Urban West made infrastructure investments it valued at \$28 million. But in a controversial election, voters rejected the DA, while imposing a growth cap of 250 homes per year for the entire city.
- Claiming it had a vested right to build, Urban West went to court. The company eventually won the vested rights case on other grounds, but the project was held up for years in the process and Urban West could have lost in court.

USES OF DEVELOPMENT AGREEMENTS



- How Development Agreements are used now**

- Development agreements have been popular in rapidly growing areas such as Riverside, San Bernardino, Orange, and San Diego counties, where large developers own huge tracts of land on which they are making specific plans.**

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- These DAs have represented the institutionalization of development fees.
- Cities and counties also use these agreements to deal with tricky problems involved with timing and sequencing, to lock in assurance that a particular mix of development will occur, and to bring together small developers to fund large public improvements.

USES OF DEVELOPMENT AGREEMENTS



- How Development Agreements are used now

- More recently, development agreements have been used as tools to broker a deal between developers and neighbors or other slow-growth forces. In exchange for the right to develop part of its land, the development company agrees to dedicate other parts for open space, parks, or agriculture.

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 - Example) A specific plan and development agreement approved in 2004 for the 23,000-acre Rancho Mission Viejo in Orange County called for placement of conservation easements on about two-thirds of the property to preserve habitat and open space.
- For years, local governments and developers relied on development agreements even though the constitutionality of DAs was uncertain.
 - Not until 2000 did an appellate court publish a decision specifically upholding the constitutionality of the state development agreement statute.

PROBLEMS WITH DEVELOPMENT AGREEMENTS



- How Development Agreements are used now

- 1 The negotiations between the local government and developer may unfairly lock out citizen groups—or may even constitute an attempt to circumvent their efforts.**

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- Development agreements in Orange and Riverside counties raised questions about citizen participation.
- In both counties, slow-growthers placed growth-control initiatives on the ballot in 1988, causing the boards of supervisors to rush through DAs prior to the election. The result was quick approval—and vested rights—for 60,000 units in Orange County and about 100,000 units in Riverside County.

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- Many of these projects had already received all other governmental approvals. Some were partially built. On other projects, the counties were able to exact additional concessions from developers in exchange for the DAs. Nevertheless, the projects protected by DAs became immune from future growth measures or change in political sentiment.

PROBLEMS WITH DEVELOPMENT AGREEMENTS



▪ How Development Agreements are used now

- ② In many cases, renegotiation may be necessary. Although developers and local officials are often afraid to reopen a development agreement for fear that they will lose more than they gain, the real estate market crash of the late '00s forced many renegotiations.

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- Example) In 2005, Irvine signed a development agreement with Lennar Corporation for development of the closed El Toro Marine Corps Air Station.
- The agreement permitted development of 3,600 housing units, but Lennar had to provide \$400 million in cash and infrastructure, three golf courses and an agricultural preserve, among other things.
- The market, however, declined before development commenced. Lennar struggled to stay afloat, and a different corporate entity, partly owned by Lennar, gained control of the development agreement.
- The new developer, called Five Point, said it could not proceed under the original development agreement.
- But the city did not want to postpone El Toro reuse indefinitely.
- So in 2009, the city approved a revised development agreement that increased the number of housing units by about one-third, eliminated the developer's responsibility for golf courses and the agricultural preserve, and reduced the developer's infrastructure responsibilities.

PROBLEMS WITH DEVELOPMENT AGREEMENTS



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Cities in which developers badly want to build essentially gave developers two options: accept a development agreement or go through the “normal” process.

- If the developer went the DA route, he was much more likely to win approval for the project, but at the price of big fees or extraordinary dedications of land for public purposes.
- If a developer opted against a DA, he might get a cool reception at City Hall and find himself bogged down in a bureaucratic and uncertain process.
- Developers eager to build expensive houses while the market was hot had little choice but to accept the conditions and exactions that the city included in a DA.
- If a town has a slow-growth reputation, the city's position at the bargaining table was only stronger.
- Development agreement haggling typically occurs behind the scenes and with an incomplete paper trail, but city officials may easily disprove any allegations of extortion.

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With few exceptions, all of the state's large-scale, high-profile development projects of the last two decades have come about with specific plans and development agreements.

ASSIGNMENTS

- 1 MID-TERM EXAM
NEXT WEEK! (MAY 7TH)**
- 2 ATTEND YOUR
PUBLIC HEARING**
- 3 CONTINUE READING THE DEATH AND LIFE
OF GREAT AMERICAN CITIES**

LAST QUESTION

WORTH 0.5%
OF TOTAL GRADE

ON THE OTHER SIDE OF YOUR PIECE OF
PAPER, WRITE YOUR RESPONSE AND
LEAVE IT UP FRONT.

**WHAT WAS ONE THING YOU THOUGHT WAS INTERESTING ABOUT
THE MOVIE SO FAR?**