



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

January 15, 2015

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Receive the proposed zoning amendments regarding updates to the regulations for how the City is required to conduct noticing of public hearings, and recommend that City Council adopt said amendments into Ordinance. (Citywide)

APPLICANT: City of Long Beach Department of Development Services
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(Application No. 1412-45)

DISCUSSION

Planning staff has been requested by the City Council to generate cost savings in the Department of Development Services' enterprise fund by increasing efficiencies in the process for providing notice of public hearings. These cost savings would then be passed on to the public through reduced fees in the planning entitlement process.

The most costly and labor-intensive element of noticing public hearings is the noticing mail-out within a specified radius from a project site. The current zoning regulations on noticing requirements (found in Division III of Chapter 21.21) were adopted in 2009.

The zoning regulations require the City to mail a notice of public hearing to all property owners *and occupants* (whether business or residential tenants) within a 750-foot noticing radius, measured from the boundaries of the project site property. The large radius, coupled with the requirement to notice tenants, can result in a mailing list of over 1,500 recipients or more per project, incurring large costs for mailing list generation, paper and printing, and postage. Determining every property owner and tenant within a 750-foot radius is a time- and labor-intensive job due to the radius requirement. This is considerably more difficult than techniques used by direct-mail marketers, who typically will simply request the Postal Service to deliver an ad mailer to every residential or commercial postal customer within a given ZIP code. In the City's case, rather than using a ZIP code, the radius is unique to each project and requires a new mailing list each time. Additionally, a large percentage of the City's mailers are returned as undeliverable (Exhibit A – Returned Notices) due to addressing variations both in the database used, and in the field. Nearly all of the difficulty originates with the large size of the radius, and

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the requirement to notice tenants in addition to property owners. Depending upon the area of the City, any given mailing list can be up to two-thirds tenants.

To solve this problem, staff proposes the following solutions. First, staff would change the notice mailing radius back to the standard of 300 feet used by the City prior to the 2009 ordinance amendment, instead of 750 feet. 300 feet is also the noticing radius required by State law for typical notices of public hearings in local government planning (Government Code section 65091). Second, staff would eliminate the requirement to mail a hardcopy notice to tenants within the radius. The State law cited above requires noticing only of property owners; and furthermore, staff feels that a mailed notice is a minimally effective means of notifying the community of a proposed project. Rather than mailing notices to tenants, staff would increase the Department's outreach on social media and e-notify systems to engage community members and neighborhood/business groups in the planning process and keep them informed of upcoming projects. Reducing the mailing radius and mailing notice only to property owners would generate significant savings through the reduction of paper, print, and postage volume, as well as considerably reduced staff labor in generating the mailing list for each 300-foot radius.

Additionally, the regulations require the posting of a 30 × 40-inch notice poster at the project site. This poster is a custom size and has no relationship to common printing-industry sizes, leading to time-intensive custom-produced posters for each project. Staff proposes to shift to a printing industry standard size of 22 × 34 inches (ANSI D), or alternatively, the ISO A1 size (23.4 × 33.1 inches). Both of these are standard paper sizes and are widely commercially available. This would reduce the staff time and lead times required for producing these posters.

Staff proposes one further amendment to the noticing requirements to increase efficiency in processing planning entitlements. The current zoning regulations require notice to be given 14 days before the hearing date, except in the cases of a zoning remapping program and appeals, in which only a 10-day notice is required. However, the State law governing noticing (as quoted above) requires only a 10-day notice period in all of these cases. Staff proposes to shift noticing to a 10-day period in all of these cases so that project timelines may be accelerated, with less time between submittal dates and hearing dates. Staff has found that most public engagement in reaction to the notice occurs either a day before or the day of the hearing, and that shifting to the State requirement of a 10-day notice period will not negatively affect community engagement. Again, staff will increase usage of social media and e-notify systems to maintain and increase community engagement and notification for planning projects, as these are more effective tools for notification than paper mailing in any case.

Staff recommends that the Planning Commission take action to recommend that the City Council adopt these proposed changes to the noticing requirements into Ordinance.

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PUBLIC HEARING NOTICE

A public hearing notice was published in the Long Beach Press-Telegram on January 3, 2015 as required by the Long Beach Municipal Code. Staff will provide any comments received to the Commission before the commencement of the public hearing.

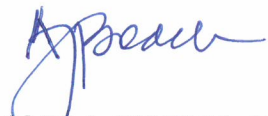
ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE) was prepared for the proposed project (Exhibit B – CE 14-169).

Respectfully submitted,


For

JEFF WINKLEPLECK
ACTING PLANNING ADMINISTRATOR



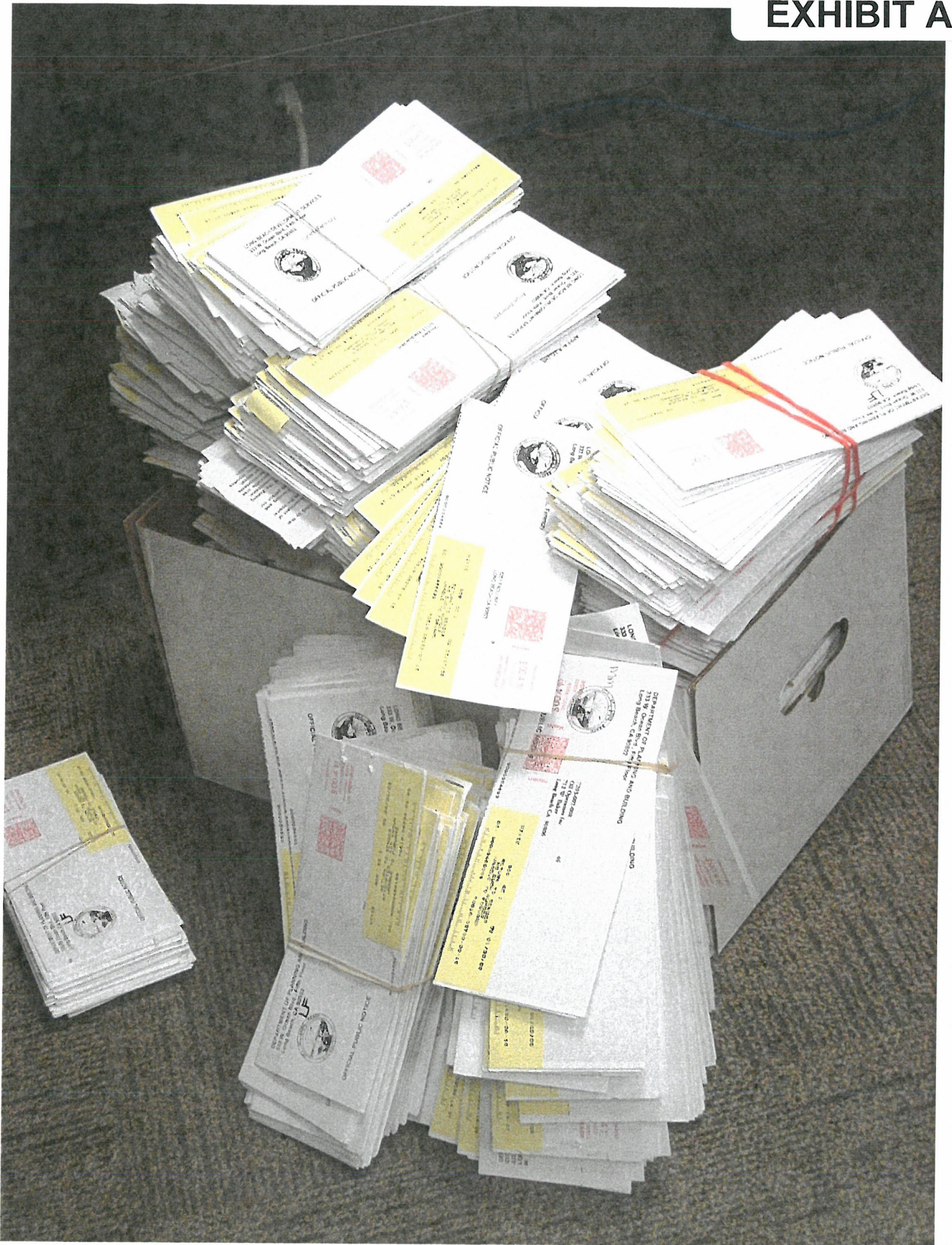
AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AB:JW:sk

Attachments

Exhibit A – Photo of returned notices
Exhibit B – Categorical Exemption CE 14-169

EXHIBIT A





CITY of LONG BEACH NOTICE of EXEMPTION **EXHIBIT B**

DEPARTMENT OF DEVELOPMENT SERVICES | PLANNING BUREAU
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

TO: ☐ Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

☐ L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE- 14-169

Project Location/Address: Citywide

Project/Activity Description: Zoning text amendment to noticing requirements for public hearings.

Public Agency Approving Project: **City of Long Beach, Los Angeles County, California**

Applicant Name: City of Long Beach, Dept. of Development Services

Mailing Address: 333 W. Ocean Blvd, 5th floor

Phone Number: (562) 570-6194 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1412-45 Planner's Initials: SK

Required Permits: Zoning Amendment

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15308, Class 8, Actions by Regulatory Agencies

Statement of support for this finding: Minor alterations to regulatory requirements

Contact Person: Craig Chaffant

Contact Phone: 562-570-6368

Signature: [Signature]

Date: 1/5/15