



Bluff Park Neighborhood Association

Special Setback Requirement and 29 Kennebec: FAQ with City Planners on Intent to Rescind the Requirement

June 13, 2019

Here are a series of our emailed questions and the answers received from the City of Long Beach Planning Bureau between February 27, 2019, and June 13, 2019. The answers, as attributed, were provided by Planner Gina Casillas and Planning Bureau Manager Christopher Koontz.

This series of questions and answers relate to a Special Setback Requirement that was uncovered in the City's review of the development plans for 29 Kennebec as submitted in January 2019. The Special Setback Requirement impacts this property, as well as other construction and development in the Bluff Park Historic District and beyond in other areas of Long Beach.

QUESTIONS:

1. Where were things left in February with the development plans at 29 Kennebec?
2. What is the timeline the City is working towards?
3. Has there been consideration given to the vintage photos of the original home?
4. Are you asking that the frontage of the re-design be oriented towards Kennebec (i.e., not facing E. 1st St) in order to meet the zoning requirements of the subdivided lot? If the answer is "no", then would that be considered a "variance"?
5. Why was the special setback requirement created in the first place?
6. What are the boundaries of the special setback requirement?
7. What is the full language of the special setback requirement? That is to say, could you please provide us a copy or link to the City Council action taken in the 1940s establishing the special setback requirement?
8. Besides being done, as you wrote, to "aid this development," what are other reasons you believe the special setback requirement is "no longer needed" and should be eliminated? In other words, what are the pro's of eliminating the special setback requirement?
9. What, if any, might be the downsides or unintended consequences (the con's) of eliminating the special setback requirement?
10. What are the specific measured setbacks for each of the existing contributing structures from Kennebec to Junipero? How do the existing setbacks differ, if any, from other areas of our neighborhood?

11. Where are setbacks addressed in the Bluff Park HD Ordinance? I myself could not find the word "setback" anywhere in the Ordinance.
12. In Bluff Park HD Design Guidelines document, I see the section on setbacks, but I am not clear on how its verbiage confers direction applicable for this particular project. That is to say, where specifically in the Design Guidelines does it mention the setback you are recommending here?
13. In your response to the previous Question, that image you included seems to be from the BP HD Ordinance, not the Design Guidelines. Additionally it uses the words "bulk mass, scale and height". How do those words relate to "site placement"? I don't get that. or am I missing something in the definitions of these terms? Would you mind please to explain further?
14. In light of the recent aforementioned CHC and PC decisions that went against Planning Department Staff recommendations and went against the Ordinance and Design Guidelines documents for the Belmont Heights Historic District, how can we in our neighborhood be assured if the special setback requirement ends up being eliminated that setbacks will continue to be protected, as you suggested, by our similar Ordinance and Design Guidelines documents?
15. What steps will the City be taking with the BPNA and neighborhood in the process to consider eliminating the special setback requirement?

ANSWERS to these questions are on the pages that follow

KEY LINKS

Ordinance for the Bluff Park Historic District:

<http://bluffpark.org/wp-content/uploads/2019/06/Ordinance.-Bluff-Park-Historic-District.pdf>

Design Guidelines for the Bluff Park Historic District:

<http://bluffpark.org/wp-content/uploads/2019/06/Design-Guidelines.-Bluff-Park-Historic-District.pdf>

Bluff Park Community Meeting on Wednesday, June 26, 2019 @ 6:30 pm

<http://bluffpark.org/event/bluff-park-community-meeting-2019-3/>

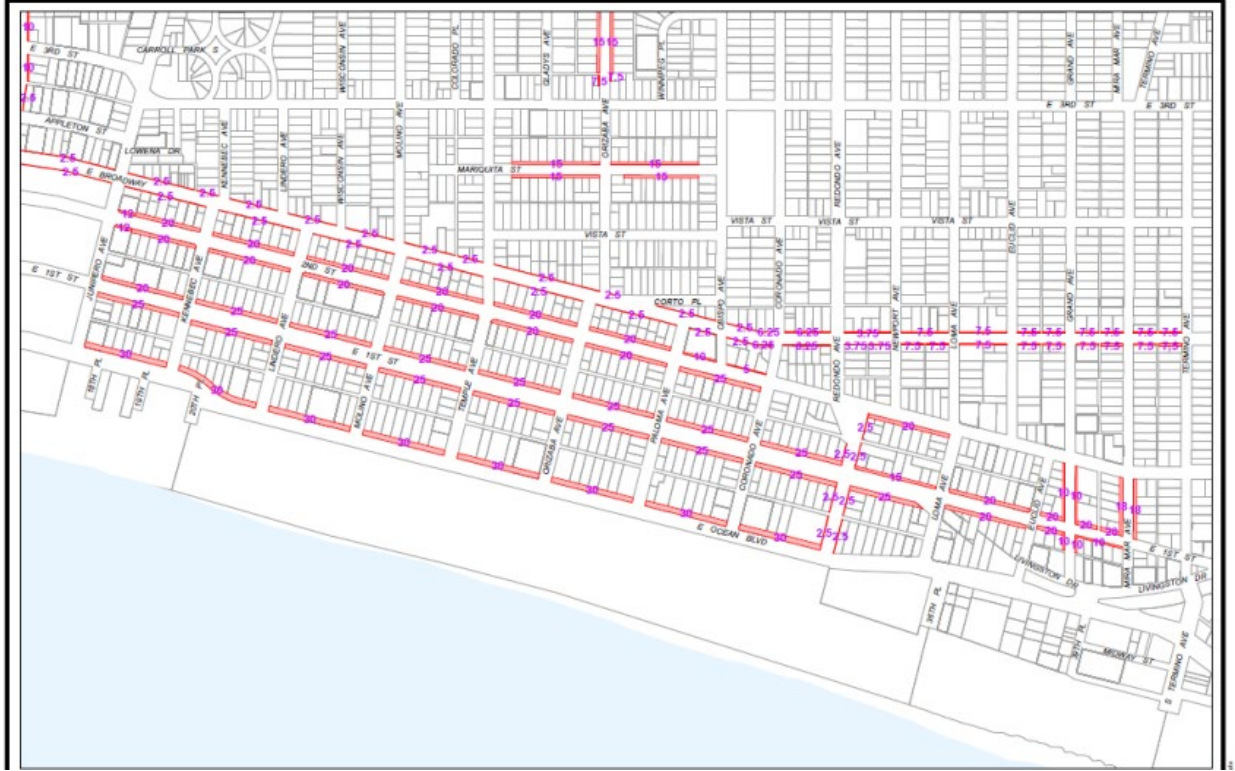
1. Where were things left in February with the development plans at 29 Kennebec?

The City issued a list of corrections to the architect (Alan Burks) after reviewing the submitted plans for the proposed project. Two big issues that were identified were; deficiency in setbacks (after establishing lot frontage along Kennebec) and a deficiency in the special setback of 25'-0" along 1st Street. The lot frontage is defined as LBMC Section 21.15.1150 - *Front lot line - is defined as follows: A. Corner Lot. On a corner lot, the shortest line separating the lot from an abutting street. When two (2) or more recorded lots or fractional lots are developed together, the Zoning Administrator shall determine the front lot line as that most consistent with development patterns on surrounding lots.* The shortest line separating the lot from an abutting street is the 85' along Kennebec. This makes Kennebec the frontage by code. (The lot is 100' wide along 1st Street.) 1st Street was the frontage prior to subdivision as it was the shortest line separating the lot from the abutting street at 100' in width. (Please see the lot size in the first map below.) [Gina, 2/27/2019]



The other big issue is the special setback along 1st Street. (See below a map of the special setbacks in the area. This map is not an official map – I had IT create it for reference only.) I am in the process of researching how the special setback originated and for what reason (i.e., street widening). You will see from the map below along 1st Street, between Junipero and Kennebec, the north side is 20' and the south side is 25' and the special setback extends to Mira Mar. The special setbacks were established

(adopted) by City Council, which makes the City Council the approving body to amend or remove them. We cannot simply issue a variance to this code requirement. Once I can determine the purpose for the special setback we can determine if it still applicable today. [Gina, 2/27/2019]



I don't know why these were missed during the architectural design process. I understand that idea is to have the units front along 1st Street. The design of the building, using 1st Street as unit frontage can still be achieved. Although, we do need to find a solution to the meeting required setbacks (code standards) prior to moving forward to Cultural Heritage Commission review of the project. [Gina, 2/27/2019]

The architect needs to redesign (most likely eliminate one unit) and resubmit for review. Once I get plans submitted I will share with you. One thing to note – We are working to eliminate the special setback – but this would not be just for 1st Street. We were looking to do this entirely for Bluff Park. We feel that with the ordinance and design standards the special setback is not necessarily needed. We would of course need your support. However, I have expressed to the architect that a 15 foot setback along 1st Street should be provided. Code would allow 8'-6" but to keep with the (1st street) neighborhood consistency not less than 15 is appropriate. I am looking forward to seeing the revised plan. [Gina, 5/15/2019]

2. What is the timeline the City is working towards?

I don't have a set date when we would place before a hearing body. This is still being researched. [Gina, 5/22/2019]

3. Has there been consideration given to the vintage photos of the original home?

I am not sure with regards to what? Setbacks, open space or building design? The architect did not discuss the reason for the architect style proposed currently. [Gina, 5/22/2019]

4. Are you asking that the frontage of the re-design be oriented towards Kennebec (i.e., not facing E. 1st St) in order to meet the zoning requirements of the subdivided lot? If the answer is "no", then would that be considered a "variance"?

By code the lot frontage is actually Kennebec and not 1st Street, as that is the more narrower lot frontage. We are requiring that the project to be designed to meet current code requirements. We are not supporting a variance for a lot that was newly subdivided, is relatively flat and is ample in size. The architect can design the building to appear to "front" on 1st Street. This is not about orientating to Kennebec simply meeting code requirements. The main challenge for the architect is maintaining the required setbacks... mainly the 25'-0" special setback along 1st Street and the 20'-0" rear setback. [Gina, 5/22/2019]

5. Why was the special setback requirement created in the first place?

We believe that the special setbacks were created aesthetic purposes. I am still researching this. [Gina, 5/22/2019]

The records are incomplete and staff cannot determine the exact reason the special setbacks were created. Those special setbacks pre-date the current zoning code, and pre-date the Historic District, therefore in the view of staff the special setback is no longer required or appropriate due to the finer-grain tools that are now in place. Both Planning staff and City Attorney researched the special setbacks but the past City Council intent is not clear. The 1920s, 1930s, 1940s and 1950s records are not as complete as contemporary City Council actions. [Christopher, 6/13/2019]

6. What are the boundaries of the special setback requirement?

The boundaries are not specific to a certain area. The special setbacks are sprinkled throughout the entire city. They were specific to smaller areas. For example a specific block on a specific street. You can see from the map I provided you previously, the special setbacks within the boundaries of Bluff Park. The special setbacks are not along all of the streets. [Gina, 5/22/2019]

Special setbacks exists throughout the City of Long Beach as a relic of City Council actions prior to the current zoning code and prior to the establishment of historic districts. A map was previously provided. Staff is evaluating the scope of any special setback removal, either over just the subject block or possibly throughout the boundaries of the historic district – we are open to public feedback on those boundaries and approach. [Christopher, 6/13/2019]

7. What is the full language of the special setback requirement? That is to say, could you please provide us a copy or link to the City Council action taken in the 1940s establishing the special setback requirement?

This is still being researched. Keep in mind this was not done at one time for the entire city. I am still researching this, but I have found that these special setbacks date as far back as 1929. [Gina, 5/22/2019]

The 1940 action is not digital. The records consist of a map of the setback area and city council minutes showing the setbacks were adopted. [Christopher, 6/13/2019]

8. Besides being done, as you wrote, to "aid this development," what are other reasons you believe the special setback requirement is "no longer needed" and should be eliminated? In other words, what are the pro's of eliminating the special setback requirement?

The ordinance for bluff park already has language that places protections for future development with regard to building placement on a lot. In addition, the zoning code establishes setbacks for new development. In this case the special setback, is just not needed to regulate building placement. [Gina, 5/22/2019]

9. What, if any, might be the downsides or unintended consequences (the con's) of eliminating the special setback requirement?

The ordinance for bluff park already has language that places protections for future development with regard to building placement on a lot. In addition, the zoning code establishes setbacks for new development. I do not see a downside to this. [Gina, 5/22/2019]

10. What are the specific measured setbacks for each of the existing contributing structures from Kennebec to Junipero? How do the existing setbacks differ, if any, from other areas of our neighborhood?

This is still being researched. [Gina, 5/22/2019]

Staff does not have the resources to precisely measure/survey every property per you request. The properties on the block generally have large setbacks in excess of 10' but in many cases less than the total amount required by the special setback. [Christopher, 6/13/2019]

11. Where are setbacks addressed in the Bluff Park HD Ordinance? I myself could not find the word "setback" anywhere in the Ordinance.

There is no language pertaining to setbacks in the ordinance.

Currently, the properties within the Bluff Park Historic District are regulated by - the zoning code, the BPHD ordinance and the BPHD Design Guidelines and for some, the special setback. The zoning code regulates site development through setbacks (placement), height and intensity (lot coverage/FAR). The property is located in the R-3-S zoning district and you can view the development standards using the following link: https://library.municode.com/ca/long_beach/codes/municipal_code?nodeId=TIT2_1ZO_CH21.31REDI_DIVIIDEST. Look at Table 31-2A for specific standards. [Gina, 6/12/2019]

BPHD ordinance provides information with regards to the specifics of the historic district. [Gina, 6/12/2019]

[JEFF'S COMMENT: I myself cannot ascertain where the quotes below were taken from.]

- What is special about the district - "...That 109 buildings were contributing to the district... and that within the architecturally rich streets, there are common elements creating a neighborhood that is visually continuous."
- What is the purpose of the guidelines, "...The following guidelines have been formulated to ensure that construction in the district preserves and enhances this architectural continuity."
- What is regulated through these guidelines, "...the guidelines pertain to all buildings of all occupancy and construction types, sizes and materials, and pertain to construction on the exterior of existing buildings as well as new, attached or adjacent construction and to site development, landscaping and other details".
- How are structures/buildings regulated – This section speaks to development/design in general (1 though 6). These individual sections help to guide new construction in terms of conformity to the surrounding neighborhood. There are many key words that speak to "neighborhood conformity". For example, "conformity to existing structures on both sides of the street", "style use and treatments shall not be uncharacteristically different from the predominant style of the immediate surroundings",

“conformity to the existing standard of the block”, “conformity to the general species of plant material and design style on the block”. [Gina, 6/12/2019]

The BPHD ordinance may not speak directly with regards to setbacks or building placement. But it is clear that these guidelines are designed as standards in which the CHC must apply when making decisions on/about Certificates of Appropriateness. If a new structure does not conform to the surrounding neighborhood, the request can be denied. In efforts to support the preservation of “neighborhood compatibility”, the BPHD Design Guidelines provide more specific guidance with respect to do’s and don’ts. Page 34 of the BPHD Guidelines specifically state that “new construction should be generally compatible with the existing contributing buildings in size, scale, setback, height, massing, design, materials, and architectural style to protect overall character of the historic district. New construction is expected to reasonably blend in with the surroundings.” [Gina, 6/12/2019]

In terms of the 29 Kennebec project - if the special setback didn’t exist, the zoning code (by right) would require approximately 8-foot building setback along 1st Street (based on 10% lot width). However, the existing neighborhood pattern was not developed as such. A proposed 8 foot setback along 1st Street would be considered to not conform (as the block/neighborhood was developed with between 15 to 25 foot setbacks), and the CHC could denial (or not support) the project in part or whole. A larger setback could be required or maintaining the same setbacks as existing structures (on the street or block) could be enforced/required to preserve the neighborhood. [Gina, 6/12/2019]

12. In Bluff Park HD Design Guidelines document, I see the section on setbacks, but I am not clear on how its verbiage confers direction applicable for this particular project. That is to say, where specifically in the Design Guidelines does it mention the setback you are recommending here?

The section below can be used to make a finding that the new construction conforms to/with the majority of the existing structures....this would also refer to site placement.
[Gina, 5/22/2019]

[JEFF'S COMMENT: The image below is actually from the Bluff Park HD Ordinance, not Design Guidelines. See next question]

20	B. New Construction or Alterations
21	1. Construction in the Bluff Park District shall
22	conform to the bulk mass, scale and height of the
23	majority of existing structures on both sides of the
24	street on the block on which the new structure is to be
25	erected.

13. In your response to the previous Question, that image you included seems to be from the BP HD Ordinance, not the Design Guidelines. Additionally it uses the words "bulk mass, scale and height". How do those words relate to "site placement"? I don't get that. or am I missing something in the definitions of these terms? Would you mind please to explain further?

The answer to question [8] (above), would apply to this question as well. [Gina, 6/12/2019]

14. In light of the recent aforementioned CHC and PC decisions that went against Planning Department Staff recommendations and went against the Ordinance and Design Guidelines documents for the Belmont Heights Historic District, how can we in our neighborhood be assured if the special setback requirement ends up being eliminated that setbacks will continue to be protected, as you suggested, by our similar Ordinance and Design Guidelines documents?

The zoning code will still be in place to regulate building orientation on a lot no different than properties located outside of the special setback areas. [Gina, 5/22/2019]

15. What steps will the City be taking with the BPNA and neighborhood in the process to consider eliminating the special setback requirement?

This process will require Planning Commission recommendation to the City Council and ultimately City Council approval under a new ordinance. What I am doing is trying to determine if it makes sense to eliminate it entirely from Bluff Park or just along 1st street. This is a good opportunity to address this special setback issue in one large area such as the entire historic district rather than just along 1st St. LBMC Section 21.25.805 specifies the process to establish or change a special setback. [Gina, 5/22/2019]

This process questions was previously answered, the legal minimum process would include drafting a City proposal, mailed notices to the impacted property owners, hearing before the Planning Commission and final hearing before the City Council. The City is open to providing further opportunities for public input including attending meetings (scheduled already), providing information online, etc. [Christopher, 6/13/2019]

Keep in mind that I am trying to find a solution to help the development for 29 Kennebec. I hope this helps you to understand where I am in the process. I will keep you updated on this project as I progress with my research. [Gina, 5/22/2019]



E 1ST ST

E 1ST ST

KENNEBEC AVE

R-3-S

R-2-L

29 KENNEBEC AVE

29 35

2138

2204

2222

2320-22

2120

55.1

55

55

100

45

55

150

150

150

150

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87.5

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32

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