



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

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May 20, 2004

CHAIRMAN AND PLANNING COMMISSIONERS  
City of Long Beach  
California

SUBJECT: Converta-Belle Housing Concept and Potential Zoning Amendments  
(Citywide)

## RECOMMENDATION

### **Duplex Concept**

1. Recommend that the Zoning Code be clarified regarding Secondary Units by removing the provision that restricts new construction for secondary units to 10% of the area of the Primary Residence and instead restrict new construction and conversions for secondary units to 25% of the Primary Residence.

### **Condominium Apartment Concept**

2. Recommend that the City Council not proceed with the multi-unit condominium proposal.

## REASON FOR RECOMMENDATION

### **Duplex Concept**

1. The 10% limitation on the Existing Code is confusing and it's intent would be better served by limiting the square footage of Secondary Units to 640 square feet and 25% of the Primary Residence.

### **Condominium Apartment Concept**

2. The 91.3% of comments and feedback from the public community meetings was not supportive of the multi-unit condominium concept.
3. The Converta-Belle concept relies upon owner occupancy which would be difficult to enforce and potentially illegal per the pending State Assembly Assembly Bill No.2702.
4. There are practical concerns over allowing a density that is more than double that which is currently permitted in association with reduced parking and open space.

## BACKGROUND

The Converta-Belle housing concept is essentially one in which housing units, both in

traditional detached home and attached condominium form, are constructed in such a manner as to allow for them to be split into two-units and/or reconsolidated over time. The intent being that this type of flexibility would allow for owners to obtain rental income at times when they either do not need the additional space, or need the funds for things like qualifying for the purchase of the units, supporting college age or grown children who have left the home or after retirement.

The issue was reviewed at the City Council hearing on May 21, 2002. The Council referred the issue to the Planning Commission for further review. The Planning Commission reviewed the proposal at the meeting of September 18, 2003. At that time, staff was directed to request additional graphic materials from the applicant and provide analysis of a prototypical condominium development. The issue was again reviewed by the Planning Commission on February 5 and February 19 of 2004. At these meetings the proponent was asked to coordinate with the Community Planning staff to arrange for four community meetings throughout the City.

Notices were mailed to Neighborhood organizations regarding the four community meetings and an ad was placed in the Press Telegram. The public meeting schedule consisted of the following:

- April 7, 2004, 6:30 pm – Houghton Park, 6301 Myrtle Avenue
- April 14, 2004, 6:30 pm – Silverado Park, 1545 W. 31<sup>st</sup> Street
- April 27, 2004, 6:30 pm – Fire Department Training Center, 2249 Argonne Ave.
- April 28, 2004, 6:30 pm – Millikan High School, 2800 Snowden Ave.

## DISCUSSION

### Duplex Concept:

This concept involves an interior alteration of a single-family home in order to accommodate a secondary unit (see attached drawings). The applicant's proposal is similar in form and intent to an existing section of the Zoning Regulations (Sec. 21.51.275) dealing with secondary housing units (aka granny flats). The Zoning Regulations, in compliance with State law, permit the construction of small accessory housing units in 12 out of the 17 residential zoning districts (secondary housing units are prohibited in the "small lot" residential districts eg. Belmont Shore, Naples and the Peninsula). A map of such districts has been attached.

This type of development could be accommodated by amending the current section of the code. The current code section, along with necessary changes, are listed below. The suggested changes are in ***bold italics***:

21.51.275 Secondary housing units ("granny flats").

**A. Lot Size.** No secondary housing unit shall be placed on any lot which contains less than four thousand eight hundred (4,800) square feet of lot area. ***Proponent's Suggested Change – allow a minimum lot area to 4,000 square feet and amend***

***the Subdivision Ordinance to allow for waiver of minimum lot size requirements to allow a 4,000 sq. ft. lot for Secondary Units. Staff Response: The public expressed concern over reserving areas for single-family use only. Reducing the lot area requirement would not be consistent with public feedback. The concern is also to maintain quality housing in the City. A lot under 4,000 square feet would have difficulty in providing a quality secondary unit in regards to open space and available square footage for two quality units.***

**B. Unit Size.** New construction to create a secondary unit shall not exceed ten percent (10%) of the floor area of the existing principal unit. The secondary unit shall not contain more than one bedroom and not more than six hundred (640) square feet of floor area. ***Suggested Change – The proposed secondary units appear to be closer to 50% of the size of the principal unit but not in excess of 640 sq. ft. Staff Response: The current code provision that addresses “new construction” is confusing as it doesn’t address incremental additions or conversions of portions of existing buildings to secondary housing units. Staff would prefer that there be a clear ratio (staff recommends 25%) of the size of the secondary housing unit to the principal building with a maximum of 640 square feet. This change is, in some cases, more restrictive than the current code as it does not contain a ratio for the conversion of an existing structure for a secondary unit. This change would also prohibit secondary housing units from being attached to small homes as the Uniform Building Code minimum unit size is approximately 250 square feet.***

**C. Location.** A secondary housing unit shall be located only on lots which contain existing single-family residences.

**D. Development Standards.** The secondary unit shall be attached to the principal dwelling unit, and the secondary unit shall comply with the setback, height and lot coverage standards of the zone in which it is located.

**E. Parking.** The principal unit shall maintain the existing number of parking spaces and shall provide one additional space if the secondary unit exceeds four hundred fifty (450) square feet of floor area. Parking for the principal and secondary units shall not be in tandem.

**F. Entrance.** The entrance to the secondary unit shall not be on the front façade. If the entrance is on the side façade, the entrance shall be set back a minimum of forty feet (40') from the front line.

**G. Code Compliance.** The principal use to which the secondary unit is added shall be inspected for minimum housing code compliance. The principal unit shall be brought into compliance before occupancy of the second unit is allowed.

**Condominium Apartment Concept:**

The second element of this proposal is similar to the first except that it is a multi-family residential setting in which each condominium unit has the potential to be split into two units. The applicant has provided a set of plans depicting what a Conventa-Belle condominium could look like. The proposal includes semi-subterranean parking below a three-story apartment complex that would include twenty-two two-bedroom units that have the potential of being converted into a one-bedroom unit and studio unit (see attached site and floor plans). The proponent has suggested the following conditions under which such developments would be constructed or operate:

- That the initial development be permitted with a 25% density bonus in order to offset the additional costs and to act as an incentive. *The drawings reflect an 11% density bonus.*
- In addition to the 25% density bonus, each dwelling unit have the potential to be split into two units (creating a potential density bonus of 150%), subject to the conditions described below.
- Parking requirements would be adjusted based on the assumption that the units will average 60% conversion at any one time, and coupled with the type of ownerships, and availability of public transportation, the parking ratio will be two spaces per unconverted unit. *This is discussed further in the next section of this report.*
- That the units could be split if the property owner resides in one of the units.
- Purchasers of the units will be required to take a property management course.
- That before renting a portion of the dwelling, the owner must obtain a permit and that the City would verify residency.
- The permit to rent the premises would be renewed by the owner periodically (such as every 3 years). The city would inspect the premises to confirm its maintenance.
- The homeowners association would enforce rental requirements and assist with finding tenants.

### **Code Compliance Issues**

This section compares current zoning standards to the sample condominium project submitted by the applicant. The following table compares existing Zoning Code requirements for density and parking using the R-4-N (High-Density, Multi-Family) District. The R-4-N zoning designation permits a maximum of 1 unit per 1,200 square feet of lot area. The applicant has provided an example lot that is 150'x150' (22,500 square feet).

**Density and Required Parking**

	Density	Code Required Parking based on Density and # of Bedrooms
R-4-N	18 units	36 spaces for two-bedroom units 5 guest spaces <b>41 spaces total</b>
R-4-N with 25% Density Bonus Permitted for Affordable Housing	23 units	46 spaces for two-bedroom units 6 guest spaces <b>52 spaces total</b>
Converta-Belle Example 0% Converted	20 units	40 spaces for two-bedroom units 5 guest spaces <b>45 spaces total required (43 shown)</b>
Converta-Belle Example 60% Converted	32 (12 of which are studios)	16 spaces for two-bedroom units 18 spaces for one-bedroom units 12 spaces for studio units 8 guest spaces <b>54 spaces total required (43 shown)</b>
Converta-Belle Example Fully Converted	40 units (20 of which are studios)	30 spaces for one-bedroom units 20 spaces for studio units 10 guest spaces <b>60 spaces total required (43 shown)</b>

**Parking**

Required off-street parking for residential uses is based on unit size, as follows: one space for studio units with no more than 450 square feet of floor area; one and one-half spaces for a one-bedroom unit, or bachelor units 451 square feet or greater in floor area; and two spaces for two bedroom units of any size. The Code requires that all required parking spaces be located within an enclosed garage. Guest parking is required to be on-site in parking impacted areas.

The applicant has provided a parking layout that includes 43 total on-site parking spaces for 40 fully converted units. As shown in the table above 40 units would require 60 independently accessed parking spaces compared to the proposed 43 independently accessed parking spaces. Similarly, if only 60% of the units were converted (35 units) the required independent parking would be 54 spaces were only 43 would be provided. The applicant provided a parking study that asserts that a lower parking ratio is appropriate for residential properties that are income controlled. It is staff's opinion that this assumption has a number of variables such as geography, changes in income, changes in tenancy etc. rather than a constant equation and that minimum parking standards should be maintained to avoid neighborhood impacts.

### **Usable Open Space**

Usable open space at R-4-N standards is required at a rate of 150 square feet per unit. The code requires that each dwelling unit provide fifty percent (50%) of the open space as common space and fifty percent (50%) as private open space. The majority of the potential studio units, as proposed, are not provided with any private usable open space. The proposed 88 square foot balconies satisfy the private usable open space requirements for the one-bedroom units. The required common usable open space is satisfied by the courtyard area and recreation room.

### **Privacy Standards**

Privacy standards apply to the shortest horizontal distance between the specified window and the specified property line, or to the window or wall of another unit in the same project. The proposal provides 28' distance between primary windows where 45' would be required. The primary windows for a majority of the studios are located directly on the public corridor where 8' spacing would be required by Code.

### **Electricity/Circulation**

Edison would need to connect and disconnect meters for each conversion. This would be at a cost to the owner since an electrician would need to be hired and the Building Department requires an inspection of such work. Additionally, air conditioning and heating controls would need to be separate for each unit. Wall heaters could be located in each unit with individual controls but central air conditioning sources would need to remain separate. A window air conditioning unit for the studio would not be feasible because it would project into the courtyard and block the only available window. Window air conditioning units for the one-bedroom units would detract from the buildings aesthetics.

### **Neighborhood Compatibility Issues/Housing**

It is likely that the Condominium Apartment proposal would result in the demolition of existing single-family housing. Multiple lots would likely need to be joined in order to accommodate such a proposal. Since the proposal exceeds current permitted density it is also likely that the surrounding neighborhood would be negatively impacted through impacts caused by insufficient parking and open space. The scale of the development may be out of character in the proposed neighborhoods depending upon the location and design.

The studio units have a living area of 220 square feet which is the minimum required square footage for a dwelling unit per the Building Code (this requirement does not include the bathroom). Affordable family housing is important to the City of Long Beach. The current proposal does not provide affordable family housing since a family would not be sufficiently accommodated in a one-bedroom apartment or a studio. In order to gain benefit from the Converta-Belle proposal, a family would have to rent the studio unit and reside in the one-bedroom unit.

### **Affordable Housing**

Chapter 21.63 establishes a system of incentives to encourage developers to provide

housing for low and very-low income households in accordance with state law. Density bonuses may not exceed 25% of the maximum density permitted in the applicable zoning district. In exchange for the density bonus, the developer shall guarantee the units will be maintained for low and very-low income households for thirty years. The guarantee shall be in the form of a deed restriction or other legally binding and enforceable document acceptable to the Planning Commission. In addition to the density bonus, the low and very-low income units are exempt from the parks and recreation and transportation developer fees.

Previous examination and analysis (see attached staff-report to the City Council) determined that the proposal would not qualify to be part of the City's on-going affordable housing programs. The analysis also found that there would not be any guarantee that the rental income would be steady. The rental income may prevent the homebuyer from qualifying for the City's home ownership programs. There is also concern about the feasibility of a first-time homebuyer becoming a landlord. The responsibility of managing a rental unit could be difficult for a new owner.

#### **Practical Implementation**

A key component of the Converta-Belle concept is owner-occupancy and property management courses. The City does not currently have enough staff to enforce these requirements as only one Zoning Enforcement Officer exists for the entire City. Reviewing owner-occupancy permits would increase workload for Planning staff at the counter and require that the databases for the city be upgraded in order to effectively track and record such permit requirements.

There is state legislation being considered that would prohibit a local agency from adopting an ordinance that requires one of the occupants of a 2<sup>nd</sup> unit or principal dwelling unit to be an owner-occupant. The Converta-Belle proposal relies upon the concept of on-site ownership and benefits to owner occupied housing. If this legislation is passed, the City could potentially be banned from prohibiting Converta-Belle units from being sold to off-site owners.

#### **Pilot Project**

Proponents have suggested that a pilot project be conducted in a Redevelopment Agency Project Area. A pilot project still produces the same concerns as have been expressed by the public, Planning Bureau staff, Redevelopment Agency staff and Housing Services staff. It must first be determined that the proposal would be beneficial to a City and neighborhood before a pilot project should be approved. Discussions with Redevelopment Agency staff do not support this concept as they do not feel that added density accompanied by reduced parking and open space further the objectives of the Redevelopment Plan.

The proponent has provided examples (see Attachment No. 5) called Statewides that have been built in Long Beach since 1964. These residences were built as multi-family apartment buildings and do not fluctuate in their density as is proposed in the Converta-Belle concept.

**Community Meetings**

Comments from the participants at the meetings were recorded (see Attachment No. 1). Comment cards were also handed out at the four community meetings. Participants either mailed the comments into the City or handed them in at the meetings. Of the 46 comment cards that were received, the feedback was overwhelmingly not in support of the Converta-Belle concepts. The results are outlined in the table below (specific comments on the cards are listed in Attachment No. 1).

**Tabulation of Converta-Belle Community Feedback Forms**

Meeting Location	Multi-Family Concept			Single Family/Duplex Concept		
	Support	Support w/ Concerns	Do not Support	Support	Support w/ Concerns	Do not Support
Houghton			1			1
Houghton			1			1
Houghton			1		1	
Houghton			1			1
Houghton			1		1	
Houghton			1		1	
Silverado			1			1
Silverado			1			1
Silverado			1			1
Silverado			1			1
Silverado			1			1
Silverado			1			1
Silverado			1			1
Silverado			1			1
Fire Dept		1				1
Fire Dept		1				1
NA/via Mail			1			1
NA/via Mail			1			1
NA/via Mail			1			1
NA/via Mail			1			1
NA/via Mail			1			1
NA/via Mail			1			1
NA/via Mail			1			1
NA/via Mail			1			1
NA/via Mail			1			1
<b>Total</b>	<b>0</b>	<b>2</b>	<b>21</b>	<b>0</b>	<b>5</b>	<b>18</b>
<b>Percent</b>	<b>0.0%</b>	<b>8.7%</b>	<b>91.3%</b>	<b>0.0%</b>	<b>21.7%</b>	<b>78.3%</b>

**Summary**

While the Duplex Concept may benefit many households in Long Beach, it is not clear that the Condominium Apartment Concept would provide an attractive living situation to residents. There are concerns regarding the proposed lack of parking and impacts of allowing density that exceeds current standards. The recent history of Long Beach rezoning has been in response to requests to down-zone areas in order to disallow proposals



that would not provide adequate parking and that are out of scale with the surrounding neighborhood. There is concern that this proposal would result in a similar response.

The Converta-Belle concept is an interesting method of producing income for households but may have disruptive impacts on the existing community. Instead, proponents for affordable housing should be working with existing programs and density incentives that promote this type of development. Proponents also may take advantage of existing higher density development areas such as downtown or on regional corridors where zoning would permit the proposed densities.

**IT IS RECOMMENDED THAT THE PLANNING COMMISSION:**

**Duplex Concept**

1. Recommend that the Zoning Code be clarified regarding Secondary Units by removing the provision that restricts new construction for secondary units to 10% of the area of the Primary Residence and instead restrict new construction and conversions for secondary units to 25% of the Primary Residence.

**Condominium Apartment Concept**

2. Recommend that the City Council not proceed with the multi-unit condominium proposal.

Respectfully submitted,

FADY MATTAR  
ACTING DIRECTOR OF PLANNING AND BUILDING

By: \_\_\_\_\_  
JAMILLA VOLLMANN  
PLANNER

Approved:   
GREG CARPENTER  
ZONING ADMINISTRATOR

JV:cc

**Attachments:**

1. Comments from the Public
2. Duplex Concept Floor Plans
3. Map of Zoning Districts Permitting Secondary Housing Units
4. Condominium Apartment Concept Floor Plans and Elevation
5. Proponents proposal and Statewide photos
6. staff report to City Council (May 21, 2002)
7. Letter from the Public