

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING ORDINANCE NO. ORD-07-0049 RELATING TO THE TEMPORARY LIMITATION OF CERTAIN CONSTRUCTION AND DEVELOPMENT ACTIVITIES IN THE LOS CERRITOS AREA OF THE CITY RELATING TO CORNER LOT FENCING IN ORDER TO FOSTER AND PROMOTE NEIGHBORHOOD CHARACTER STABILIZATION IN SAID AREA; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 3 of Ordinance No. ORD-07-0049, adopted as an emergency ordinance on October 16, 2007, is amended to read as follows:

Section 3. Prohibition on Activities in the Los Cerritos Area. During the term of the one year interim period between October 16, 2007 and October 16, 2008, and the additional six month interim period between October 16, 2008 and April 14, 2009, no application for a building permit, construction permit, or variance, of any kind, shall be approved, nor shall any such permit be issued, for any construction activity that would result in the following activities in the Los Cerritos area (as shown on the map attached as Exhibit "A"):

For corner lots, the construction of any fence (including the replacement of a non-conforming fence) within the front-yard

1 setback, or within a 6'0" exterior side-yard setback area which
2 exceeds the height of three (3) feet. The area between the
3 exterior property line and the fence shall be landscaped.

4
5 Section 2. Declaration of Urgency. This ordinance is an emergency
6 measure, and it is urgently required for the reason that, pending completion of the
7 necessary planning study, and a determination relative to the potential need to amend
8 the Code, it is necessary to limit construction or development in order to avoid the
9 adverse impacts associated with said construction that might be inconsistent with the
10 pending revisions to the zoning or building regulations of the City being considered
11 during the interim period.

12 Section 3. This ordinance is an emergency ordinance duly adopted by
13 the City Council by a vote of five of its members and shall take effect immediately. The
14 City Clerk shall certify to a separate roll call and vote on the question of the emergency
15 of this ordinance and to its passage by the vote of five members of the City Council of
16 the City of Long Beach, and cause the same to be posted in three conspicuous places
17 in the City of Long Beach.

18 This ordinance shall also be adopted by the City Council as a regular
19 ordinance, to the end that in the event of any defect or invalidity in connection with the
20 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless, be
21 and become effective on the thirty-first day after it is approved by the Mayor.

22 The City Clerk shall certify to the passage of this ordinance by the City
23 Council of the City of Long Beach and shall cause the same to be posted in three
24 conspicuous places in the City of Long Beach.

25 I hereby certify that on a separate roll call and vote which was taken by
26 the City Council of the City of Long Beach upon the question of emergency of this
27 ordinance at its meeting of November 18, 2008, the ordinance was declared
28 to be an emergency by the following vote:

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Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,
Reyes Uranga, Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

I further certify that thereafter, at the same meeting, upon a roll call and vote on adoption of the ordinance, it was adopted by the City Council of the City of Long Beach by the following vote:

Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,
Reyes Uranga, Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

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1 I further certify that the foregoing ordinance was thereafter adopted on
2 final reading by the City Council of the City of Long Beach at its meeting of
3 _____, 2008, by the following vote:

4 Ayes: Councilmembers: _____

5 _____

6 _____

7 Noes: Councilmembers: _____

8 _____

9 Absent: Councilmembers: _____

10 _____

11 _____
12 Clerk

13
14 Approved: _____
15 (Date)

16 _____
17 Mayor

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