

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

RESOLUTION NO. RES-18-0174

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH RE-DECLARING A SHELTER CRISIS; SUSPENDING APPLICABLE PROVISIONS OF LOCAL LAW, INCLUDING THOSE CONTAINED IN THE CITY'S ZONING ORDINANCES AND REGULATIONS; AND AUTHORIZING THE OPERATION OF A WINTER SHELTER AT 5571 ORANGE AVENUE, IN THE CITY OF LONG BEACH, BETWEEN THE DATES OF DECEMBER 1, 2018 AND MARCH 31, 2019

WHEREAS, the purpose and intent of this resolution is to provide shelter and supportive services for the homeless in the City of Long Beach during the winter months by maintaining such services at, and allowing the use of, the real property located at 5571 Orange Avenue, in the City of Long Beach, between the dates of December 1, 2018 and March 31, 2019; and

WHEREAS, at its meeting of September 11, 2018, the City Council of the City of Long Beach adopted Resolution No. RES-18-0135 declaring a "shelter crisis" pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code Section 8698.2); and

WHEREAS, pursuant to Government Code section 8698.1 et seq., the City Council hereby finds and re-declares that there still exists a "shelter crisis" in that a significant number of persons within the City are without the ability to obtain shelter during the months of inclement weather, and that the situation has resulted in, and will continue to result in, a threat to the health and safety of those persons;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

1           Section 1.    That the provisions of any state or local regulatory statute,  
2 regulation or ordinance, including but not limited to the City’s zoning regulations  
3 prescribing standards of use, housing, health or safety shall be suspended with respect  
4 to the above-described winter shelter to the extent that strict compliance would in any  
5 way prevent, hinder or delay the operation of the winter shelter during the declared  
6 shelter crisis.

7           Section 2.    Notwithstanding any other provisions of local law, the City  
8 Manager is hereby authorized and directed to take all steps as may be reasonably  
9 necessary or appropriate to facilitate the operation of a winter shelter between the dates  
10 of December 1, 2018 and March 31, 2019, which shelter is to be located at 5571 Orange  
11 Avenue, in the City of Long Beach.

12           Section 3.    Any and all provisions of the City’s Zoning Ordinance and  
13 regulations, which otherwise might regulate, apply to or govern the continued operation of  
14 the winter shelter, are hereby suspended and declared inapplicable to the proposed  
15 winter homeless shelter.

16           Section 4.    The City Manager, or his designee, is hereby authorized to  
17 develop such rules and regulations related to health and safety standards which the City  
18 Manager deems necessary and appropriate to protect the public health, safety and  
19 welfare of the residents of the winter shelter and those residents and/or businesses which  
20 may be affected by the operation of said shelter. To the extent applicable to those  
21 homeless individuals who occupy the shelter, such rules and regulations may be posted  
22 in at least one conspicuous location on the site.

23           Section 5.    Pursuant to California Environmental Quality Act (“CEQA”),  
24 Public Resources Code section 21000, et seq., the Council hereby finds that this project  
25 is exempt from further environmental review under CEQA Guidelines 15301.

26           Section 6.    This resolution shall take effect immediately upon its adoption  
27 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of November 20, 2018 by the following vote:

Ayes: Councilmembers: Gonzalez, Pearce, Price, Supernaw,  
Mungo, Andrews, Uranga, Austin,  
Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

  
\_\_\_\_\_  
City Clerk

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