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ORDINANCE NO. ORD-06-0045

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING CHAPTER 21.63
REGARDING AFFORDABLE HOUSING

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

Section 1. The Long Beach Municipal Code is hereby amended by amending
Chapter 21.63 to read as follows:

Chapter 21.63

INCENTIVES FOR AFFORDABLE HOUSING

21.63.010 Purposes.

This Chapter establishes a system of incentives to encourage
developers to provide housing for very low, low income, moderate income,
and senior households, pursuant to Section 65915 et seq. of the California
Government Code. The incentive consists of a density bonus.

21.63.020 Qualification.

In order to qualify for a density bonus, a project must be a very low
income, low income, moderate income condominium project as defined by
the State of California, or a senior citizen housing project (as defined in
Sections 51.2 and 51.3 of the California Civil Code).

21.63.030 Limitation.

Density bonuses shall not exceed the percentage as permitted by the
State of California of maximum density allowed in the applicable zoning
district.

21.63.040 Procedures.

1 The following procedural requirements shall be observed in reviewing
2 and acting upon applications for density bonuses made pursuant to this
3 Chapter:

4 A. Application. An application for a density bonus shall be made in
5 conjunction with other required applications for residential developments and
6 shall be subject to the same procedures required by this title and other
7 applicable sections of the Municipal Code.

8 21.63.050 Development standards.

9 All residential projects granted a density bonus shall conform to the
10 development standards of the applicable zoning district, except those
11 standards regulating density or as waived according to Section 21.63.080.

12 21.63.060 Maintenance of units.

13 In exchange for the density bonus, the developer shall guarantee the
14 units will be maintained for very low income, low income, moderate income
15 condominiums, and senior households for thirty (30) years. The guarantee
16 shall be in the form of a deed restriction or other legally binding and
17 enforceable document acceptable to the City Attorney. The document shall
18 be recorded with the Los Angeles County Recorder prior to the issuance of
19 a building permit. The applicant shall comply with the provisions of Chapter
20 21.60 for the maintenance of the units according to housing authority
21 procedures.

22 21.63.070 Additional incentives.

23 In addition to the density bonus, the very low income, low income,
24 moderate income condominiums, and senior units shall be exempt from the
25 parks and recreation and transportation developer fees, if the developer is
26 in compliance with the applicable exemption provisions of Sections
27 18.17.130, 18.18.120 and 18.18.140 of the Long Beach Municipal Code as
28 they now exist or may later be amended.

1 21.63.080 Waiver of development standards.

2 A. Criteria for Waiver. If the applicant can demonstrate that the
3 increased density cannot physically be accommodated on the site, then the
4 following development standards shall be waived during site plan review to
5 accommodate the increased density. The waiver in the standards shall
6 follow the priority order hereby established and the applicant shall
7 demonstrate that the increased density cannot be accommodated with each
8 sequential waiver before the waiver of the next standard is allowed. Only
9 one standard shall be waived unless it is shown that each individual standard
10 waiver will not physically accommodate the proposed density. A complete
11 site plan and floor plan shall be provided to demonstrate the physical
12 noncompliance.

13 B. Priority order for waiver:

- 14 1. Percentage compact parking;
- 15 2. Tandem parking design limitations;
- 16 3. Privacy standards;
- 17 4. Private open space;
- 18 5. Common open space;
- 19 6. Height;
- 20 7. Distance between buildings;
- 21 8. Side yard setbacks;
- 22 9. Rear yard setbacks;
- 23 10. Number of parking spaces (but not less than one space
24 per unit); and
- 25 11. Front setbacks.

26 21.63.090 Additional financial incentives.

27 If the developer believes that with the density bonus and the additional
28 incentives, the provision of the very low income, low income, moderate

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1 income condominiums, or senior citizen housing units are not financially
2 feasible, then the developer shall submit a project pro forma demonstrating
3 the deficiency. Such pro forma shall include the costs of complying with each
4 of the above listed standards. These standards shall then be sequentially
5 waived until financial feasibility is achieved.

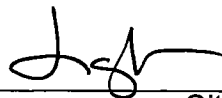
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7 Sec. 2. The City Clerk shall certify to the passage of this ordinance by the
8 City Council and cause it to be posted in three conspicuous places in the City of Long
9 Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

10 I hereby certify that the foregoing ordinance was adopted by the City Council
11 of the City of Long Beach at its meeting of October 3, 2006, by the
12 following vote:

13 Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
14 O'Donnell, Schipske, Richardson,
15 Reyes Uranga, Gabelich, Lerch.

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17 Noes: Councilmembers: None.

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19 Absent: Councilmembers: None.

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City Clerk

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25 Approved: 10/6/06

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Mayor

28 MJM:kjm 8/22/06 #06-03897

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