

H-21

June 14, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, and extend for one year (12 months), a previously adopted urgency ordinance relating to the temporary limitation (moratorium) on the issuance of building permits, construction permits or other entitlements for new residential stand-alone construction along commercial and transportation corridors in areas that are designated by the 2019 General Plan Land Use Element Update as the Neighborhood Serving Corridors or Centers Place Type on Willow Street, west of Interstate-710 to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in the City of Long Beach, read the first time and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof; and declaring this ordinance shall take effect immediately; and,

Request City Manager to continue working with the Economic Development Department to develop a plan and identify funding to conduct a market study including economic research and community outreach to attract investment and neighborhood serving uses to West Long Beach along the Santa Fe Avenue and Willow Street Corridors, consistent with the Land Use Element. (District 7)

DISCUSSION

On June 15, 2021, the City Council enacted a one-year moratorium on standalone new residential development along transportation corridors in West Long Beach in areas that are designated by the 2019 General Plan Land Use Element Update as the Neighborhood-Serving Corridors or Centers Place Type on Willow Street, west of Interstate-710 (I-710) to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in the West Long Beach area of the City (Attachment A).

This action was based on a May 18, 2021 request by the City Council, which outlined the unique circumstances leading to the request for the interim moratorium ordinance, given that the existing regulations for the West Willow and Santa Fe Corridors pre-date adoption of the General Plan Land Use Element and do not allow for mixed-use development that would be consistent with the Land Use Element and Urban Design Element (Attachment B). The moratorium was put in place to prevent out-of-character development that could be permitted under existing zoning and that would result in standalone single-use residential structures, forestalling the ability to create walkable, mixed-use neighborhoods and corridors. The

HONORABLE MAYOR AND CITY COUNCIL

June 14, 2022

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moratorium is limited to parcels along the Willow Street and Santa Fe Avenue corridors, west of the I-710, which have been designated as "Neighborhood Serving Centers" within the Land Use Element. This moratorium prevents new standalone residential structures to support the City of Long Beach (City) in meeting its overall goals, as established in the Land Use Element.

The action by City Council also included a request that the City Manager work with the Economic Development Department to develop a plan and identify funding to conduct a market study including economic research and community outreach to attract investment and neighborhood serving uses to West Long Beach along the Santa Fe Avenue and Willow Street Corridors, consistent with the Land Use Element. This project would report back on strategies to attract neighborhood-serving businesses including but not limited to grocery, banking, pharmacy, and coffee, among other amenities, that have long been absent and are needed in West Long Beach.

The moratorium was set to expire either after one year; or, when existing zoning regulations had been updated to be consistent with the Land Use Element and when an economic study had been completed. Both efforts are still in progress. The Development Services Department has been crafting zoning code recommendations for the Willow and Santa Fe corridors and needs additional time to complete the community engagement and undergo the adoption processes for the proposed new zones. A draft of the zoning recommendations has been developed and will be refined based on community feedback through a May 2022 virtual open house and an ongoing community survey. The Economic Development Department identified a strategy for completing the economic study as part of the broader, related effort to conduct studies to develop Economic Empowerment Zones (EEZ) in specific areas of the City including West Long Beach to support economic recovery goals. The Economic Development Department is finalizing a strategy for conducting the data collection and community outreach for the EEZs currently slated to commence in July 2022.

Public Hearing Notice

Pursuant to Long Beach Municipal Code Section 21.50.040(B), a Public Hearing Notice was published in the Long Beach Press-Telegram on June 3, 2022.

This matter was reviewed by Retired Annuitant Attorney Michael J. Mais and Revenue Management Officer Geraldine Alejo on May 26, 2022.

TIMING CONSIDERATIONS

City Council action is requested on June 14, 2022, to extend the moratorium prior to its expiration on June 15, 2022.

FISCAL IMPACT

The market study will include economic research and community outreach to attract investment and neighborhood serving uses to West Long Beach along the Santa Fe Avenue and Willow Street Corridors. This market study will be completed as part of a larger study to develop EEZ, which is a part of the Long Beach Recovery Act's Economic Inclusion program category and funded from the \$3.4 million in funding allocated specifically for EEZ. Any related City staff time required to continue with these efforts will be funded within existing resources appropriated in the Development Services and Economic Development Departments. This recommendation has a minimal staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



OSCAR W. ORCI
DIRECTOR OF DEVELOPMENT SERVICES

ATTACHMENTS: CITY COUNCIL ORDINANCE
 ATTACHMENT A – JUNE 15, 2021 URGENCY ORDINANCE STAFF REPORT
 ATTACHMENT B – MAY 18, 2021 REQUEST TO DRAFT URGENCY ORDINANCE

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING ORDINANCE NO. ORD-21-0020 EXTENDING FOR TWELVE (12) MONTHS INTERIM REGULATIONS (MORATORIUM) IN ACCORDANCE WITH CHAPTER 21.50 OF THE LONG BEACH MUNICIPAL CODE ON THE ISSUANCE OF BUILDING, CONSTRUCTION, OCCUPANCY PERMITS, OR OTHER ENTITLEMENTS FOR NEW STAND-ALONE RESIDENTIAL CONSTRUCTION ALONG TRANSPORTATION CORRIDORS IN AREAS THAT ARE DESIGNATED BY THE 2019 GENERAL PLAN LAND USE ELEMENT UPDATE AS THE NEIGHBORHOOD-SERVING CORRIDORS OR CENTERS PLACETYPE ON WILLOW STREET, WEST OF THE I-710 FREEWAY TO THE CITY TERMINUS; AND SANTA FE AVENUE, BETWEEN PACIFIC COAST HIGHWAY ON THE SOUTH AND WARDLOW ROAD ON THE NORTH, IN THE WEST LONG BEACH AREA OF THE CITY; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

WHEREAS, on June 15, 2021, the City Council of the City of Long Beach imposed, on an urgency basis, interim regulations for twelve (12) months against the issuance of building, construction, occupancy permits, or other entitlements for new stand-alone residential construction along transportation corridors in areas that are designated by the 2019 General Plan Land Use Element Update (LUE) as the

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CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
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1 Neighborhood-Serving Corridors or centers PlaceType on Willow Street, West of the I-
2 710 Freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway
3 on the South and Wardlow Road on the North, in the City of Long Beach because the
4 City Council found that existing regulations contained in the City's Zoning and/or Building
5 regulations may be in conflict with the newly adopted and amended LUE and Urban
6 Design Element (UDE) of the City; and

7 WHEREAS, as a result of said conflict, without the adoption of interim land
8 use regulations (i.e. a moratorium), out of character development could and would be
9 permitted resulting in "stand alone" single-use residential structures forestalling the ability
10 to create walkable mixed use "neighborhood serving centers" and corridors as
11 contemplated by the adoption of the current LUE and UDE Elements of the City's
12 General Plan; and

13 WHEREAS, the current LUE has designated the corridors of Santa Fe
14 Avenue between Pacific Coast Highway and Wardlow Road, and Willow Street from the
15 1-710 to the City terminus, as "neighborhood serving corridors and centers" designed to
16 meet resident and consumers daily needs for goods and services close to residential
17 areas providing such amenities as restaurants, cafes, retail shops, financial institutions
18 and other daily conveniences; and

19 WHEREAS, the subject interim regulations (moratorium) are providing the
20 City and City staff, together with input from the public, an opportunity to determine how
21 the current Zoning and/or Building regulations can best be amended to eliminate, to the
22 extent reasonably feasible, the conflict between the current regulations and the newly
23 adopted LUE and UDE; and

24 WHEREAS, maintaining the status quo with respect to residential
25 construction in the geographic areas described above by assuring that no new
26 applications for building or construction permits, or other entitlements are accepted, and
27 no new building or construction permits, or other entitlements are issued, while the City
28 conducts the necessary study along transportation corridors on Willow Street, west of the

1 1-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast
2 Highway on the south and Wardlow Road on the north, is consistent with good planning
3 practice and is likewise consistent with the goals and objectives of both the LUE and
4 UDE; and

5 WHEREAS, additional time is required for the Development Services
6 Department and the Planning Commission to study and complete the comprehensive
7 regulations amending the City's Zoning and/or Building regulations to address such
8 potential conflicts with the City's LUE and UDE and for the Economic Development
9 Department to conduct a market study; and

10 WHEREAS, a duly noticed public hearing was held on June 14, 2022,
11 regarding the extension of the moratorium.

12 NOW, THEREFORE, the City Council of the City of Long Beach ordains as
13 follows:

14 Section 1. Ordinance No. ORD-21-0020, Section 2, adopted as an
15 emergency ordinance on June 15, 2021, is amended to read as follows:

16 Section 2. Estimated Time for Completion of Study. It is
17 estimated that the study or studies undertaken in connection with the
18 adoption of this interim ordinance may take the Development Services
19 Department and the Planning Commission approximately twenty-four
20 (24) months to complete. For the purposes of this ordinance, this interim
21 moratorium study period shall expire no later than June 15, 2023.

22 Section 2. Ordinance No. ORD-21-0020, Section 3, adopted as an
23 emergency ordinance on June 15, 2021, is amended to read as follows:

24 Section 3. Prohibition.

25 Notwithstanding any provision of the Long Beach Municipal
26 Code to the contrary, for a period of twenty-four (24) months from the
27 effective date of this Ordinance, which would be June 15, 2023, or until a
28 permanent ordinance becomes effective, whichever occurs first:

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A. No application shall be accepted for a building or construction permit, or other entitlement for new residential stand-alone construction on the transportation corridors in West Long Beach on Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in the City of Long Beach.

B. No building or construction permit, or other entitlement for new residential stand-alone construction on the transportation corridors on in West Long Beach on Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in the City, shall be issued.

Section 3. Declaration of Urgency. This ordinance is an emergency measure, and it is urgently required for the reason that, pending completion of the necessary planning policy study, and a determination relative to the potential need to amend the Zoning or Building regulations of the City, it is necessary to temporarily prohibit the issuance of construction or building permits or other entitlements related to new residential stand-alone construction on Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in order to avoid the adverse impacts that might arise with the pending revisions to the Zoning or Building regulations of the City being considered during the interim period.

Section 4. This ordinance is an emergency ordinance duly adopted by the City Council on by a vote of at least five (5) of its members and shall take effect immediately. The City Clerk shall certify to a separate roll call and vote on the question of the emergency of this ordinance and to its passage by the vote of five members of the City Council of the City of Long Beach, and cause the same to be posted in three conspicuous places in the City of Long Beach.

Section 5. This ordinance shall also be adopted by the City Council as a

1 regular ordinance, to the end that in the event of any defect or invalidity in connection
2 with the adoption of this ordinance as an emergency ordinance, the same shall,
3 nevertheless, be and become effective on the thirty-first day after it is approved by the
4 Mayor.

5 Section 6. The City Clerk shall certify to the passage of this ordinance by
6 the City Council of the City of Long Beach and shall cause the same to be posted in three
7 (3) conspicuous places in the City of Long Beach.

8 I hereby certify that on a separate roll call and vote which was taken by the
9 City Council of the City of Long Beach upon the question of emergency of this ordinance
10 at its meeting of _____, 2022, the ordinance was declared to be an
11 emergency by the following vote:

12	Ayes:	Councilmembers:	_____
13			_____
14			_____
15	Noes:	Councilmembers:	_____
16			_____
17	Absent:	Councilmembers:	_____
18			_____
19	Recusal(s):	Councilmembers:	_____
20			_____

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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: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

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I further certify that the foregoing ordinance was thereafter adopted on final reading by the City Council of the City of Long Beach at its meeting of _____, 2022, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

Clerk

Approved: _____
(Date)

Mayor



CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

OFFICE OF THE CITY ATTORNEY

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H-17

June 15, 2021

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to receive supporting documentation into the record, conclude the hearing, and declare an ordinance relating to the temporary limitation (moratorium) on the issuance of building permits, construction permits or other entitlements for new residential stand-alone construction along commercial and transportation corridors in areas that are designated by the 2019 General Plan Land Use Element Update as the Neighborhood-Serving Corridors or Centers PlaceType on Willow Street, west of the 710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in the City of Long Beach, read the first time and laid over to the next regular meeting of the City Council for final reading; declaring the urgency thereof; and declaring this ordinance shall take effect immediately. (Seventh District)

DISCUSSION

On May 18, 2021, the City Council adopted a minute order pursuant to an agenda request which initiated a moratorium relating to the issuance of building permits, construction permits, or other entitlements for new residential stand-alone construction along commercial and transportation corridors in areas that are designated by the 2019 General Plan Land Use Element Update as the Neighborhood-Serving Corridors or Centers PlaceType on Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in the City of Long Beach. The moratorium was initiated pursuant to the provisions of Chapter 21.50 of the Municipal Code, "Interim Prohibition of Uses."

The attached ordinance, which has been prepared for Council's consideration, establishes a twelve (12) month moratorium period to be effective in the geographic areas described above. During this time, the Development Services Department and the Planning Commission will undertake a study of potential amendments to the Zoning or Building

regulations of the City relating to the construction of stand-alone residential dwelling units along the corridors in question, and will also study the City's existing Zoning or Building regulations in order to align said regulations with the recently adopted Land Use and Urban Design Elements of the General Plan approved by the City Council in 2020. At the conclusion of the relevant study, the Planning Commission will make a recommendation to the City Council in regard to appropriate amendments that can, or should be, made to the City's current regulatory structure.

The twelve (12) month moratorium will apply to any application for permits received after 5:00 p.m. on May 18, 2021.

SUGGESTED ACTION:

Approve recommendation.

CHARLES PARKIN, City Attorney

By



MICHAEL J. MAIS
Assistant City Attorney

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ROBERT E. SHANNON, City Attorney
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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH IMPOSING INTERIM REGULATIONS (MORATORIUM) IN ACCORDANCE WITH CHAPTER 21.50 OF THE LONG BEACH MUNICIPAL CODE ON THE ISSUANCE OF BUILDING, CONSTRUCTION, OCCUPANCY PERMITS, OR OTHER ENTITLEMENTS FOR NEW STAND-ALONE RESIDENTIAL CONSTRUCTION ALONG TRANSPORTATION CORRIDORS IN AREAS THAT ARE DESIGNATED BY THE 2019 GENERAL PLAN LAND USE ELEMENT UPDATE AS THE NEIGHBORHOOD-SERVING CORRIDORS OR CENTERS PLACETYPE ON WILLOW STREET, WEST OF THE I-710 FREEWAY TO THE CITY TERMINUS; AND SANTA FE AVENUE, BETWEEN PACIFIC COAST HIGHWAY ON THE SOUTH AND WARDLOW ROAD ON THE NORTH, IN THE WEST LONG BEACH AREA OF THE CITY; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

WHEREAS, concerns have been raised over applications for building permits, construction or occupancy permits, and other entitlements for new residential construction along certain transportation corridors on Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, in the West Long Beach area of the City; and

WHEREAS, residents, Councilmembers, and other stakeholders and individuals have expressed concern that the current Zoning Regulations of the City may

1 not fully address the impacts that residential construction may have on the transportation
2 corridors described above; and that said current Zoning Regulations are, or may be, in
3 conflict with the provisions of the newly adopted and amended Land Use (LUE) and
4 Urban Design Elements (UDE) of the City; and that as a result of said conflict, without the
5 adoption of interim land use regulations (i.e.; a moratorium), out of character
6 development could and would be permitted resulting in “stand alone” single-use
7 residential structures forestalling the ability to create walkable mixed use “neighborhood
8 serving centers” and corridors as contemplated by the adoption of the current LUE and
9 UDE Elements of the City’s General Plan; and

10 WHEREAS, the current LUE has designated the corridors of Santa Fe
11 Avenue between Pacific Coast Highway and Wardlow Road, and Willow Street from the
12 I-710 to the City terminus, as “neighborhood serving centers” designed to meet resident
13 and consumers daily needs for goods and services close to residential areas providing
14 such amenities as restaurants, cafes, retail shops, financial institutions and other daily
15 conveniences; and

16 WHEREAS, the subject interim regulations (moratorium) will provide the
17 City and City staff, together with input from the public, an opportunity to determine how
18 the current Zoning and/or building regulations can best be amended to eliminate, to the
19 extent reasonably feasible, the conflict between the current regulations and the newly
20 adopted LUE and UDE; and

21 WHEREAS, maintaining the status quo with respect to residential
22 construction in the geographic areas described above by assuring that no new
23 applications for building or construction permits, or other entitlements are accepted, and
24 no new building or construction permits, or other entitlements are issued, while the City
25 conducts the necessary study along transportation corridors on Willow Street, west of the
26 I-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway
27 on the south and Wardlow Road on the north, is consistent with good planning practice
28 and is likewise consistent with the goals and objectives of both the LUE and UDE; and

1 WHEREAS, the City's planning staff and the Planning Commission will
2 undertake the necessary study of residential construction along transportation corridors
3 described above and will prepare an implementation plan and recommended action for
4 consideration by the City Council in due course; and

5 WHEREAS, the goal of any new residential construction along the above
6 described transportation corridors is to develop comprehensive regulations which
7 recognize and balance the various interests related to residential construction in
8 commercial zones and transportation corridors in a manner tailored to the City's unique
9 needs and community vision, and which are supportive of establishing environments that
10 are more walkable and pedestrian friendly environments and which provide surrounding
11 residents access to neighborhood-serving commercial uses and other necessary
12 amenities, and which reflect the land use and zoning policy choices of the City as
13 reflected in the General Plan; and

14 WHEREAS, until the policy study as described above is undertaken and
15 completed by City Staff and the Planning Commission and any new regulations are
16 adopted by the City Council, there is a significant risk that some individuals or entities
17 may make investments in new residential construction in commercial corridor areas
18 described above that would soon thereafter be illegal, nonconforming, or subject to an
19 amortization program; and

20 WHEREAS, the possibility that construction of new stand-alone residential
21 development along the commercial and transportation corridors described above could or
22 would be incompatible with the LUE and UDE, and therefore constitute a current and
23 immediate threat to the public health, safety, or welfare. Approval of building or
24 construction permits, or other entitlements in the described areas during the interim study
25 period could result in a threat to public health, safety, and welfare; and

26 WHEREAS, Chapter 21.50 of the Long Beach Municipal Code empowers
27 the City to enact interim zoning (moratorium) regulations which takes effect immediately
28 upon a showing of urgency;

1 WHEREAS, on May 18, 2021, the City Council adopted after a public
2 hearing and public input, a minute order pursuant to an agenda request which initiated a
3 moratorium relating to the issuance of building or construction permits, or other
4 entitlements for new stand-alone residential construction in areas that are designated by
5 the 2019 General Plan Land Use Element Update as the Neighborhood-Serving
6 Corridors or Centers PlaceType on the Willow Street and Santa Fe Avenue corridors in
7 the City, and declared the urgency thereof.

8 NOW, THEREFORE, the City Council of the City of Long Beach ordains as
9 follows:

10 Section 1. Purpose and Findings. At the direction of the City Council, the
11 Development Services Department and the Planning Commission will undertake a policy
12 study of potential amendments to the Zoning Regulations and Building Codes of the City
13 of Long Beach ("City") regulating, limiting or prohibiting new residential construction along
14 commercial and transportation corridors in in areas that are designated by the 2019
15 General Plan Land Use Element Update as the Neighborhood-Serving Corridors or
16 Centers PlaceType on Willow Street, west of the I-710 freeway to the City terminus; and
17 Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on
18 the north, in the City of Long Beach. The City Council specifically finds that the existing
19 regulations contained in the City's Zoning and/or Building regulations may be in conflict
20 with the Zoning and Building regulations that are or will be studied by the Development
21 Services Department and the Planning Commission pursuant to the City Council's
22 direction.

23 Section 2. Estimated Time for Completion of Study. It is estimated that
24 the study or studies undertaken in connection with the adoption of this interim ordinance
25 may take the Development Services Department and the Planning Commission
26 approximately twelve (12) months to complete.

27 Section 3. Prohibition.

28 Notwithstanding any provision of the Long Beach Municipal Code to the

1 contrary, for a period of twelve (12) months from the effective date of this Ordinance,
2 which would be June 15, 2022, or until a permanent ordinance becomes effective,
3 whichever occurs first:

4 A. No application shall be accepted for a building or construction permit,
5 or other entitlement for new residential stand-alone construction on the transportation
6 corridors in West Long Beach on Willow Street, west of the I-710 freeway to the City
7 terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and
8 Wardlow Road on the north, in the City of Long Beach.

9 B. No building or construction permit, or other entitlement for new
10 residential stand-alone construction on the transportation corridors on in West Long Beach
11 on Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe Avenue,
12 between Pacific Coast Highway on the south and Wardlow Road on the north, in the City,
13 shall be issued.

14 Section 4. Exceptions.

15 A. The prohibitions specified in Section 3 of this Ordinance shall not
16 apply to residential stand-alone construction along transportation corridors in West Long
17 Beach on Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe
18 Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north, for
19 which a permit application is required as follows:

20 1. In order to comply with an order issued by the Department of
21 Development Services to repair, remove, demolish or maintain any unsafe or a
22 substandard condition; or

23 2. In order to replace or repair damage as a result of fire,
24 earthquake, or other natural disaster, provided that the replacement or repair is not
25 prohibited by any other provision of the Long Beach Municipal Code.

26 B. The prohibitions specified in Section 3 of this Ordinance shall not
27 apply to any building or construction permit or other entitlement issued for new residential
28 stand-alone construction along the transportation corridors on Willow Street, west of the

1 I-710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway
2 on the south and Wardlow Road on the north, prior to 5:00 p.m. on May 18, 2021.

3 C. The prohibitions specified in Section 3 of this Ordinance shall not
4 apply to the routine maintenance or repair of existing residential stand-alone construction
5 on the transportation corridors on Willow Street, west of the I-710 freeway to the City
6 terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and
7 Wardlow Road on the north, provided that the residential construction is not enlarged in
8 any manner. During the period of this interim ordinance no residential construction along
9 transportation corridors on Willow Street, west of the I-710 freeway to the City terminus;
10 and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road
11 on the north, shall be removed and replaced for the purposes of modernization, except
12 pursuant to an order issued by the Department of Development Services.

13 Section 5. Severability. If any provision of this Ordinance is found to be
14 unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity
15 shall not affect the remaining provisions of this Ordinance which can be implemented
16 without the invalid provision, and, to this end, the provisions of this Ordinance are
17 declared to be severable.

18 Section 6. Applicability of the Zoning Code. The regulations of this
19 Ordinance are in addition to those set forth in the planning and zoning provisions of
20 Chapter 21 of the Long Beach Municipal Code, and any other ordinances adopted by the
21 City Council, and do not contain any rights not otherwise granted under the provisions
22 and procedures contained in Chapter 21 or any other ordinances.

23 Section 7. Urgency Clause. The City Council finds and declares that this
24 ordinance is required for the immediate preservation of the public peace, health and
25 safety for the following reasons. This ordinance is necessary to prevent irreversible
26 development from occurring pending adoption of a permanent ordinance or regulations
27 by preventing permits for the construction of new stand-alone residential construction on
28 Willow Street, west of the I-710 freeway to the City terminus; and Santa Fe Avenue,

1 between Pacific Coast Highway on the south and Wardlow Road on the north, which
2 would possibly undermine the recommendations for updating the zoning and/or building
3 regulations regarding new residential stand-alone construction along the commercial and
4 transportation corridors described above. Therefore, this Ordinance shall become
5 effective upon adoption pursuant to Long Beach City Charter Sections 211 and 212, and
6 Chapter 21.50 of the Long Beach Municipal Code.

7 Section 8. The City Council finds and determines that the proposed
8 interim ordinance is not in conflict with the various provisions of the California Coastal Act
9 because, among other things, the proposed interim ordinance does not in any way affect
10 access to or the enjoyment of coastal related activities and the areas in question are not
11 in the City's coastal zone.

12 Section 9. Declaration of Urgency. This ordinance is an emergency
13 measure, and it is urgently required for the reason that, pending completion of the
14 necessary planning policy study, and a determination relative to the potential need to
15 amend the Zoning or Building regulations of the City, it is necessary to temporarily
16 prohibit the issuance of construction or building permits or other entitlements related to
17 new residential stand-alone construction on Willow Street, west of the I-710 freeway to
18 the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south
19 and Wardlow Road on the north, in order to avoid the adverse impacts that might arise
20 with the pending revisions to the Zoning or Building regulations of the City being
21 considered during the interim period.

22 Section 10. This ordinance is an emergency ordinance duly adopted by
23 the City Council on June 15, 2021, by a vote of at least five (5) of its members and shall
24 take effect immediately. The City Clerk shall certify to a separate roll call and vote on the
25 question of the emergency of this ordinance and to its passage by the vote of five
26 members of the City Council of the City of Long Beach, and cause the same to be posted
27 in three conspicuous places in the City of Long Beach.

28 Section 11. This ordinance shall also be adopted by the City Council as a

1 regular ordinance, to the end that in the event of any defect or invalidity in connection
2 with the adoption of this ordinance as an emergency ordinance, the same shall,
3 nevertheless, be and become effective on the thirty-first day after it is approved by the
4 Mayor.

5 Section 12. The City Clerk shall certify to the passage of this ordinance by
6 the City Council of the City of Long Beach and shall cause the same to be posted in three
7 (3) conspicuous places in the City of Long Beach.

8 I hereby certify that on a separate roll call and vote which was taken by the
9 City Council of the City of Long Beach upon the question of emergency of this ordinance
10 at its meeting of June 15, 2021, the ordinance was declared to be an emergency by the
11 following vote:

12 Ayes: Councilmembers: _____

13 _____

14 _____

15 Noes: Councilmembers: _____

16 _____

17 Absent: Councilmembers: _____

18 _____

19 Recusal(s): Councilmembers: _____

20 _____

21 _____

22 _____

23 I further certify that on June 15, 2021, upon a roll call and vote on first
24 reading of the ordinance, it was adopted by the City Council of the City of Long Beach by
25 the following vote:

26 Ayes: Councilmembers: _____

27 _____

28 _____

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

I further certify that the foregoing ordinance was thereafter adopted on final reading by the City Council of the City of Long Beach at its meeting of June 22, 2021, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

Clerk

Approved: _____
(Date)

Mayor

NB-33

Memorandum

City of Long Beach



Councilmember
ROBERTO URANGA
 Long Beach, Seventh District

*Working
 Together to Serve*



Date: May 18, 2021

To: Mayor and Members of the City Council

From: Councilmember Roberto Uranga, Seventh District
 Councilwoman Mary Zendejas, First District
 Councilwoman Cindy Allen, Second District
 Councilman Al Austin, Eighth District

Subject: Residential Use Permit Moratorium to Allow Time to Address Zoning Incompatibilities and Conduct West Long Beach Economic Market Study

RECOMMENDATION:

Request City Attorney draft an urgency ordinance in accordance with Chapter 21.50 of the Long Beach Municipal Code establishing a moratorium on the issuance of building or construction permits for the construction of new stand-alone residential structures along transportation corridors in West Long Beach on Willow Street, west of the 710 freeway to the City terminus; and Santa Fe Avenue, between Pacific Coast Highway on the south and Wardlow Road on the north to ensure Land Use Element zoning changes occur prior to issuing building or construction permits, and:

Request City Manager to work with the Economic Development Department to develop a plan and identify funding to conduct a market study including economic research and community outreach to attract investment and neighborhood serving uses to West Long Beach along the Santa Fe Avenue and Willow Street Corridors, consistent with the Land Use Element. This project would report back on strategies to attract neighborhood-serving businesses including but not limited to grocery, banking, pharmacy, and coffee, among other amenities, that have long been absent and are needed in West Long Beach.

BACKGROUND:

The City of Long Beach's Land Use Element was adopted by the Long Beach City Council on December 3, 2019. The Land Use Element directs the long-term physical development of the City by guiding use, form and characteristics of improvements on the land. It designates the location, types and intensity of housing, businesses, industries, open spaces, public buildings, airports, ports, marinas and other uses in Long Beach.

West Long Beach is located west of the I-710 freeway and consists of the Westside and Arlington neighborhoods. These neighborhoods are historically working-class due to their proximity to the Port of Long Beach, refineries and other industrial uses in nearby Wilmington. Many single-family homes and other residences were built between the 1920's and 1940's.

The Land Use Element designated the corridors of Santa Fe Avenue, between Pacific Coast Highway and Wardlow Road and Willow Street from the I-710 to the city terminus as "Neighborhood Serving Centers." This designation is designed to meet consumers' daily needs for goods and services close to

residential areas. Ideally, residents could walk to these locations for shopping, personal services or dining. The Land Use Element also encourages mixed use, commercial and apartment buildings with retail and service components integrated along the corridors. While retail and services constantly evolve, currently desired goods and services include restaurants, cafes, retail shops, financial institutions and other daily conveniences within walking distance from residential uses.

Currently, the zoning standards on these two corridors include CCA, R-3-T, R-4-R, R-3-4, CCR and CAN. These zones pre-date the Land Use Element and do not allow for mixed-use development that would be consistent with the Land Use Element and Urban Design Element. The City established compliant zones within Title 22 of the Municipal Code in 2020 and is now undertaking an effort to apply those zones to parcels within West Long Beach.

As a consequence, without a moratorium, out-of-character development could be permitted that would result in stand alone single-use residential structures, forestalling the ability to create walkable mixed-use neighborhoods and corridors. The moratorium shall be limited to parcels along the Willow Street and Santa Fe Avenue corridors, west of the 710-freeway, which have been designated as "Neighborhood Serving Centers" within the Land Use Element. This moratorium will prevent new stand alone residential structures and allow the City to meet its overall goals, as established in the Land Use Element. As the moratorium will still allow residential uses within a mixed-use building, no negative impact to housing supply or construction will occur because of this action.

During the moratorium, a market study for West Long Beach, based on community input, economic research, existing land use, and an assessment of opportunity sites, is needed to help facilitate interest and attraction of neighborhood-focused retail establishments and investors to support the community and implement the Land Use Element and other plans approved by the City Council. Also, staff is requested to provide an assessment of potential fiscal impacts to complete the market study and present to the City Council potential funding sources to implement the plan within 60 days consistent with plans for the Economic Recovery Strategy approved by the City Council on March 16, 2021.

FISCAL IMPACT:

No Financial Management review was able to be conducted due to the urgency and time sensitivity of this item.



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: May 14, 2021
To: Monique De La Garza, City Clerk
From: Councilmember Roberto Uranga
Subject: Request to Add Agenda Item to Council Agenda of May 18, 2021

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

Residential Use Permit Moratorium to Allow Time to Address Zoning Incompatibilities
and Conduct West Long Beach Economic Market Study

Council District	Authorizing Councilmember	Signed by
1	Councilwoman Zendejas	
2	Councilwoman Allen	
7	Councilmember Uranga	