

CITY OF LONG BEACH

H-1

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 Phone: 570.6428 Fax: 570.6205

November 18, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to receive supporting documentation into the record, conclude the hearing; adopt an urgency ordinance extending for six months a temporary limitation (moratorium) of construction and development activities in the Rancho Estates (PD-11) area; and declare ordinance read the first time and laid over to the next regular meeting of City Council for final reading. (District 5)

Recommendation to receive supporting documentation into the record, conclude the hearing; adopt an urgency ordinance extending for six months a temporary limitation (moratorium) of construction and development activities in the Los Cerritos area; and declare ordinance read the first time and laid over to the next regular meeting of City Council for final reading. (District 8)

DISCUSSION

On October 16, 2007, City Council adopted a one-year moratorium ordinance to prohibit construction of second story additions and the demolition of any residential structures in the Rancho Estates area (Exhibit A) (Ordinance 07-0048). In addition, Council adopted a moratorium to prohibit the construction of fences on corner lots within the side-yard setback area in the Los Cerritos area (Exhibit B) (Ordinance 07-0049). Both of these moratoriums expired on October 16, 2008. In order to complete preparation of proposed amendments to the Zoning Regulations and review recommendations with the community, staff is requesting a six-month extension to April 14, 2009.

In the Rancho Estates area, community meetings were held and a survey conducted. Based on the survey results and neighborhood input, staff is in the process of drafting a proposed amendment to Rancho Estates Planned Development Ordinance (PD-11) addressing design guidelines, fence location revisions and standards for additions. The changes will be presented at a community meeting in November. Following community review, the recommendations will be forwarded to Planning Commission and City Council during the first quarter of 2009.

With regard to the Los Cerritos area, staff has had discussions and continues to work with the Los Cerritos Improvement Association regarding Code changes for construction of fences in the street side-yard setback. The proposed recommendation will focus on changes to the location of fences in the street side-yard setback area. It is anticipated this will be ready for Council consideration in March 2009.

This letter was reviewed by Assistant City Attorney Michael Mais on October 21, 2008 and by Budget Management Officer Victoria Bell on October 24, 2008.

TIMING CONSIDERATIONS

City Council action on this matter is requested on November 18 as the Interim Ordinances have lapsed.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,




CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:lf
P:\Planning\CDD(Zoning)\City Council Reports\Council letter\ranchoestates.ccltr

Attachments: Exhibit A – Location Map – Rancho Estates
 Exhibit B - Location Map – Los Cerritos
 City Council Ordinance Rancho Estates
 City Council Ordinance Los Cerritos

APPROVED:

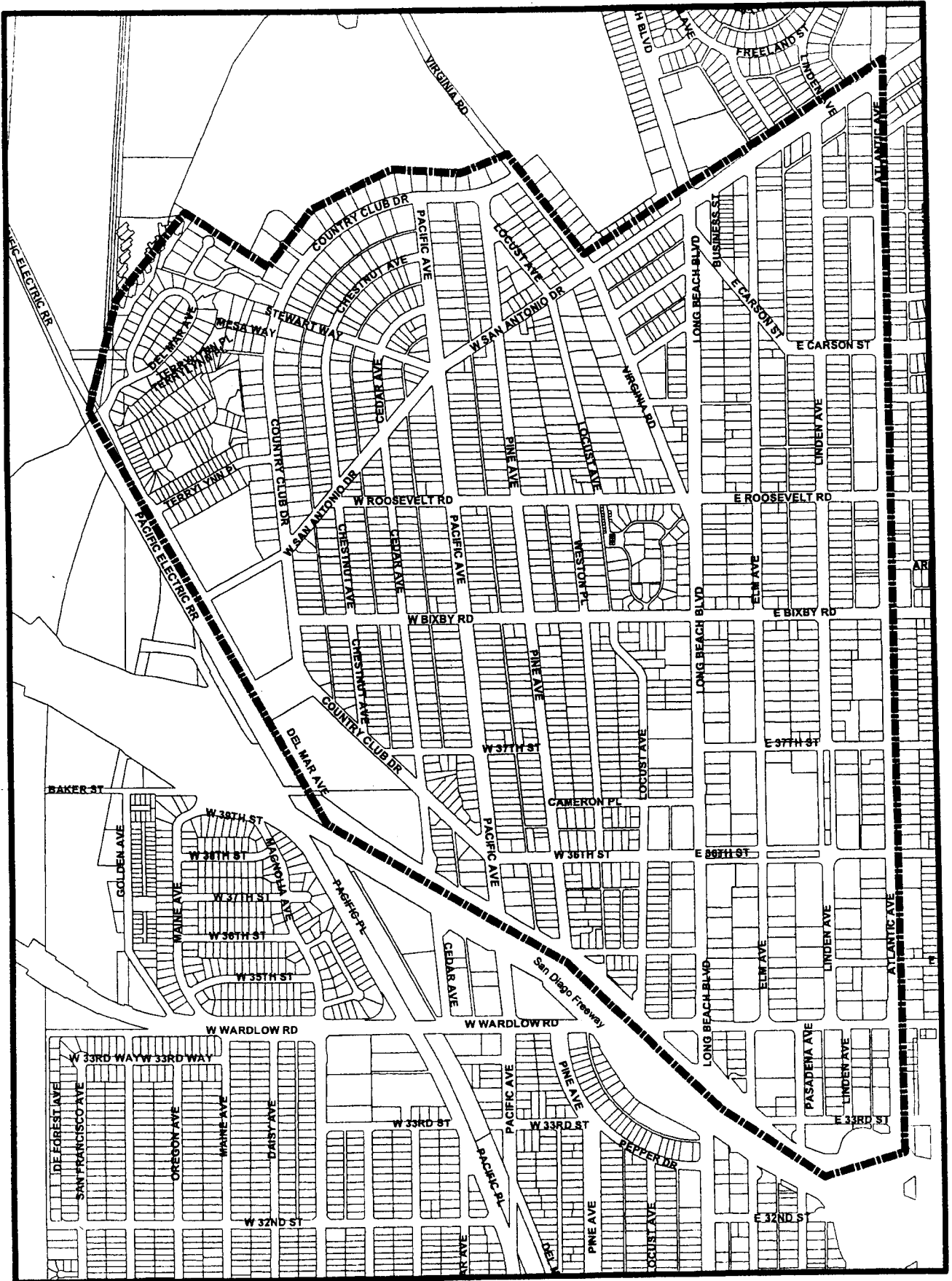


PATRICK H. WEST
CITY MANAGER

Rancho Estates Neighborhood



LOS CERRITOS NEIGHBORHOOD



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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING ORDINANCE NO. ORD-07-0048 RELATING TO THE TEMPORARY LIMITATION OF CERTAIN CONSTRUCTION AND DEVELOPMENT ACTIVITIES IN THE RANCHO ESTATES AREA OF THE CITY PROHIBITING RESIDENTIAL CONSTRUCTION OF SECOND STORIES AND DEMOLITION OF ANY RESIDENTIAL STRUCTURE 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-07-0048, adopted as an emergency ordinance on October 16, 2007, is hereby amended to read as follows:

Section 3. Prohibition on Activities in the Rancho Estates Area of the City. During the term of the one year interim period between October 16, 2007 and October 16, 2008, and the additional six (6) 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 Rancho Estates area (as shown on the map attached as Exhibit "A"):

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A. Construction of second stories. This prohibition shall include new construction of a two-story home, second-story additions to existing two-story homes, and second-story additions to existing one-story homes.

B. The Demolition of any residential structure located within the Rancho Estates area. For the purposes of this subsection, the term "demolition" shall be defined as follows: (1) Removal of more than thirty percent (30%) of exterior walls in whole or in part. (2) Replacement of windows or doors where the frame remains intact shall count as removal of an exterior wall. (3) Removal of exterior surface finishes such as wood siding or stucco shall count as removal of an exterior wall.

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

Section 3. This ordinance is an emergency ordinance duly adopted by the City Council by a vote of five 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.

This ordinance shall also be adopted by the City Council as a regular ordinance, to the end that in the event of any defect or invalidity in connection with the

1 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless, be
2 and become effective on the thirty-first day after it is approved by the Mayor.

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

6 I hereby certify that on a separate roll call and vote which was taken by
7 the City Council of the City of Long Beach upon the question of emergency of this
8 ordinance at its meeting of _____, 2008, the ordinance was declared
9 to be an emergency by the following vote:

10 Ayes: Councilmembers: _____

11 _____

12 _____

13 Noes: Councilmembers: _____

14 _____

15 Absent: Councilmembers: _____

16 _____

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18
19 I further certify that thereafter, at the same meeting, upon a roll call and
20 vote on adoption of the ordinance, it was adopted by the City Council of the City of Long
21 Beach by the following vote:

22 Ayes: Councilmembers: _____

23 _____

24 _____

25 Noes: Councilmembers: _____

26 _____

27 Absent: 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
_____, 2008, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Clerk

Approved: _____
(Date)

Mayor

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