

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

ORDINANCE NO. ORD-22-0016

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

23
24 WHEREAS, on June 15, 2021, the City Council of the City of Long Beach
25 imposed, on an urgency basis, interim regulations for twelve (12) months against the
26 issuance of building, construction, occupancy permits, or other entitlements for new
27 stand-alone residential construction along transportation corridors in areas that are
28 designated by the 2019 General Plan Land Use Element Update (LUE) as the

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
10 ordinance at its meeting of June 14, 2022, the ordinance was declared to be an
11 emergency by the following vote:

12 Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,
13 Mungo, Saro, Uranga, Austin,
14 Richardson.

15 Noes: Councilmembers: None.
16 _____

17 Absent: Councilmembers: None.
18 _____

19 Recusal(s): Councilmembers: None.
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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:	<u>Zendejas, Allen, Price, Supernaw,</u> <u>Mungo, Saro, Uranga, Austin,</u> <u>Richardson.</u>
Noes:	Councilmembers:	<u>None.</u>
Absent:	Councilmembers:	<u>None.</u>
Recusal(s):	Councilmembers:	<u>None.</u>

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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

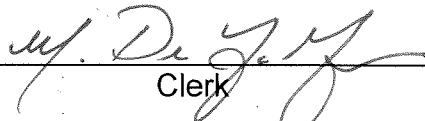
_____, 2022, by the following vote:

Ayes: Councilmembers: _____

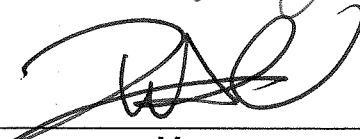
Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____


Clerk

Approved: 4/15/22
(Date)


Mayor