

Create new chapter Section 21.66 in Title 21 of the Long Beach Municipal Code:

- A. Purpose. To develop an informal dwelling unit amnesty program to preserve existing dwelling, bring them into to compliance with applicable Building Code standards and maintain them as income restricted affordable units.
- B. Compliance with applicable development standards and Zoning Code requirements.
 - 1. Existing dwelling units that do not have a certificate of occupancy at the time of application that are located in otherwise legally permitted structures, which shall be referred to in this section as “unpermitted dwelling units,” shall not be subject to any otherwise applicable zoning ordinance, specific plan, or other overlay district regulations, including, but not limited to, the following:
 - a. Minimum Lot Area per Dwelling Unit or Guest Room. The units shall not be subject to any density limitations imposed by the underlying zoning.
 - b. Off-Street Automobile Parking. The units shall not be subject to any applicable off-street automobile parking requirements. The existing number of parking spaces existing on the site as of the date of the application shall be maintained and shall not be reduced.
 - c. Minimum Yard and Setback Requirements. The units shall not be subject to any yard or setback requirements imposed by the underlying zoning.
 - d. Any other development Standards. The units shall not be subject to any other provision of the underlying zoning or applicable developments standard that would preclude the preservation of the dwelling unit.
- C. Building Code Compliance. Notwithstanding any exemptions zoning requirements detailed in this Section, the units shall comply with minimum applicable health and safety requirements established in Title 18, as determined by the Building Official.
- D. Eligibility. Existing dwelling units eligible for the informal dwelling unit amnesty program:
 - a. May be located in any zone, except for the IG and IP Industrial Zones.
 - b. Shall have been occupied, as a residence, for more than 30 continuous days prior to December 31, 2016.
- E. Affordability Covenant.
 - a. Applicants shall be required to record a covenant on the property that requires the unit to be retained as an income-restricted unit for a period of 10 years at an income level that is the lower of: 1) the existing tenant's income level or 2) a moderate income household.
 - b. The affordability period shall be deferred if the unit is occupied by a tenant with an existing lease who does not meet the subject income restriction. The affordability period shall begin when a tenant meeting the above income restriction occupies the unit.
 - c. The units shall be subject to the annual covenant monitoring fee.
- F. Review Process. Site Plan Review shall be required pursuant to Chapter 21.25 of the Municipal Code.

G. Appeals. Only applicants may appeal Site Plan Review determinations to the Planning Commission