

January 5, 2021

**H-13**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive the supporting documentation into the record, conclude the public hearing, and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5 – Minor Alterations to Land Use Limitations) of the CEQA Guidelines and none of the exceptions in 15300.2 apply, and that it is further exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15061(b)(3) (Common Sense Exemption), as it will not result directly or indirectly in significant environmental impacts. (CE20-091);

Declare Ordinance amending Title 21, Zoning Regulations (Zoning Code), of the Long Beach Municipal Code to add Chapter 21.66 related to the establishment of a process to allow the legalization of existing, unpermitted units (Unpermitted Dwelling Unit Amnesty Program), read the first time and laid over to the next regular meeting of the City Council for final reading; and,

Adopt Resolution authorizing the Director of Development Services to submit amendments to the Long Beach Zoning Regulations to the California Coastal Commission for its review, approval and certification. (Citywide)

**DISCUSSION**

The City of Long Beach (City) has many housing units that have been developed over time without building permits. These units provide much needed housing, tend to be naturally occurring affordable units, and fulfill an important niche in the housing market. These units, which generally represent one or two units carved out of ancillary spaces like laundry rooms or storage areas, or which have resulted from modest additions in otherwise existing, legally permitted multi-family buildings, may exceed the number of dwellings permitted by the zone or otherwise be out of compliance with underlying zoning regulations and development standards.

Currently, there is no clear pathway to encourage the rehabilitation and preservation of these units, and in some instances, these units must be removed to bring a property into compliance with zoning regulations. The proposed Ordinance creates an Unpermitted Dwelling Unit Amnesty Program (Program) to legalize these unpermitted units. Preservation of existing affordable housing units has been identified as a goal of the City. It is consistent with and implements Everyone Home recommendation 2e “to expand the number of rent-stabilized units,” and Policy 1.1 of the 2017 report prepared by the Mayor’s Affordable and Workforce

Housing Study Group and adopted by the City Council “to encourage the preservation of existing housing stock, consistent with the City’s adopted Housing Element.” Preservation of existing housing units is also a goal of the City’s adopted Housing Element.

Moreover, the City is currently in the process of updating its Housing Element, in accordance with State law, and is pursuing a number of housing ordinances and initiatives that will aim to increase housing supply and enable the City to meet its Regional Housing Needs Assessment (RHNA) obligation under the Housing Element. While these units do exist today, the process of legalizing them counts as a housing unit created toward RHNA goals.

### **Regulatory Framework**

The proposed Long Beach Municipal Code (LBMC) amendment would create a new chapter (Chapter 21.66) in Title 21 that would establish a pathway to allow the preservation of unpermitted dwelling units by exempting them from some Zoning Regulations that would otherwise pose a barrier to the legalization of these units in exchange for requiring the unit to be retained as an income-restricted unit for a period of ten years. Exempting such existing units from specified provisions of the Zoning Code can facilitate preservation of this important component of the City’s housing stock. Additionally, preservation of these existing units represents a cost effective and environmentally sensitive way to provide and retain critical affordable housing units in a safe and sanitary condition in the City and can be counted towards the City’s RHNA requirements and future Census counts.

Specifically, the proposed Ordinance entails the following Program provisions:

- **Eligibility requirements.** Dwelling units eligible for legalization through this program are those located in any zoning district except for in the General Industrial (IG) and Port Industrial (IP) zones and that have been occupied for more than 30 continuous days prior to December 31, 2016.
- **Exemption from certain zoning standards.** Allows the unpermitted dwelling unit to be exempt from some zoning regulations such as density limitations, parking, open space, setback requirements, etc., that would otherwise preclude the existing unit from being legalized and maintained as a housing unit through the Program. The units will be required to comply with Building Code regulations to ensure life and safety standards are adequately met;
- **Affordability covenant.** In exchange for amnesty, the applicant will be required to retain the unit as an income-restricted unit for a period of ten years at an income level that is the lower of either the existing tenant’s income level or a moderate-income household, as determined by Area Median Income (AMI) limits established by the Department of Housing and Urban Development (HUD). In the instance where the income of the current tenant is above the income level stipulated in the Ordinance, then the ten-year affordability period would be deferred until the unit is occupied by a tenant whose income

meets the income restriction (e.g., has an income that is defined as moderate income or lower). The applicant will be required to record a covenant on the property memorializing the affordability requirement. Lastly, the unit would be subject to an annual covenant monitoring fee, so the City can ensure the units are being retained as income-restricted units for the life of the covenant;

- **Review process.** The legalization of these units would be permitted with approval by the Site Plan Review Committee and would be appealable only by the applicant to the Planning Commission. By formalizing a review process to legalize these unpermitted units, the City would be able to conduct building inspections and bring existing units into compliance with applicable fire, life, and safety standards to ensure the safety and habitability of the dwelling units.

On September 3, 2020, the Planning Commission reviewed and recommended approval of the proposed Program to the City Council, consistent with adopted policies and plans (Attachment A – Findings). The draft Zoning Code Amendment is attached (Attachment B – Draft Zoning Code Amendment). The Planning Commission staff report is also attached as Attachment C – Planning Commission Report.

#### Public Notice and Environmental Compliance

Notice of this public hearing was published in the Long Beach Press-Telegram on December 21, 2020, in accordance with provisions of the Zoning Ordinance. Due to the declared state of emergency, notices were not provided to City libraries (they are closed), notice posting was provided at City Hall but not at multiple locations. A notice of the proposed Zoning Code Amendment was distributed through the City's LinkLB e-mail blast system and to individual stakeholders who have requested notification on this item. No responses were received in response as of the date of preparation of this report. Any comments received prior to the City Council hearing will be provided at the hearing.

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the Zoning Code Amendment (ZCA) is exempt from CEQA under Section 15305 (Minor Alterations to Land Use Limitations) and Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and none of the exceptions in Section 15300.2 apply. Section 15305 exempts projects that consist of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density. The properties affected by this ZCA have an average slope of less than 20 percent.

The ZCA is further exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15061(b)(3) (Common Sense Exemption), as it will not result directly or indirectly in significant environmental impacts. The ZCA does not result in any physical changes in the environment because it is limited to the amendment of the Zoning Code to allow the preservation of existing housing units, consistent with adopted City plans and policies. The proposed ZCA will allow the legalization of existing informal units, enable the City

to bring them into compliance with the Building Code, and increase the supply of affordable housing by requiring that they be covenanted, restricted affordable units for a period of ten years for households with moderate income or lower. As the units already exist, the proposed Ordinance would not result in new construction and thus would not result in physical impacts to the environment. The proposed Ordinance does not change the density, height, intensity of land use, or allowable land uses currently permitted by the underlying zoning.

This matter was reviewed by Assistant City Attorney Michael J. Mais on December 9, 2020 and by Budget Analysis Officer Julissa José-Murray on December 7, 2020.

TIMING CONSIDERATIONS

City Council action is requested on January 5, 2021. Pursuant to Section 21.25.103 of the Zoning Code, this request must be presented to the City Council within 60 days of the Planning Commission hearing, which took place on September 3, 2020. The January 5, 2021 public hearing date was the first available opportunity for the item to be reviewed by the City Council.

FISCAL IMPACT

This recommendation has no staffing impact beyond the budgeted scope of duties and is consistent with existing City Council priorities. There is no fiscal or local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



OSCAR W. ORCI  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

- ATTACHMENTS: CITY COUNCIL ORDINANCE  
CITY COUNCIL RESOLUTION  
ATTACHMENT A – FINDINGS  
ATTACHMENT B – DRAFT ZONING CODE AMENDMENT  
ATTACHMENT C – PLANNING COMMISSION REPORT

## FINDINGS

**Informal Dwelling Unit Amnesty Program Zoning Code Amendment (ZCA)  
Application No. 20-013  
September 3, 2020**

The Long Beach Municipal Code (LBMC) does not require specific findings for the adoption of a Zoning Code Amendment. The proposed Zoning Code Amendment, however, is consistent with state law and guidelines and applicable elements of the City's General Plan; will not adversely affect the character, livability or appropriate development of the City; and is in conformity with public necessity, convenience, general welfare, and good planning practice. The City of Long Beach makes these findings in support of its adoption of the proposed informal dwelling unit amnesty program - Zoning Code Amendment.

**The Zoning Code Amendment is consistent with objectives, principles, and standards of the General Plan.** The Zoning Code Amendment (ZCA) would not conflict with the City's General Plan, the 2010 Strategic Plan, local coastal program, or any other applicable land use plans and policies. The ZCA involves creating a process to legalize informal units that were constructed without building permits and do not have a valid certificate of occupancy. The Zoning Code Amendment will preserve existing naturally occurring affordable housing, consistent with a number of adopted City plans and policies. The Zoning Code Amendment will not only create a pathway to preserve this important component of the City's housing stock, but also establishes a process for retaining the units as affordable, income restricted units for a period of 10 years. The ZCA is consistent with goals, policies and strategies in the existing Land Use Element (LUE), Housing Element (HE) of the General Plan. The ZCA does not change the density, intensity of land use or height of the underlying zoning, but rather allows the preservation of existing units that may not be in compliance with density regulations, yards and setbacks or other applicable zoning requirements due to the incremental and organic way that they have been developed over time.

The General Plan Land Use Element (LUE) includes Goal No. 5 Diversify Housing Opportunities and STRATEGY No. 12: Diversify Long Beach's housing stock which encourage the preservation and development of a variety of housing types to meet the diverse needs of City residents. Goal No. 1 of the Housing Element promotes housing affordability and encourages a variety of strategies to rehabilitate and preserve the existing affordable housing stock and protect at-risk affordable units. As noted, existing informal units tend to be naturally occurring affordable units and fill an important housing need in the City. The proposed Zoning Code amendments advances the above General Plan Goals to preserve those units as restricted affordable units.

These proposed ZCA supports planning and zoning best practices, builds upon existing studies, and provide another strategy to facilitate perseveration of housing as a means to address the housing crisis. It builds upon policy recommendations adopted by City Council on May 2, 2017 that were prepared by the Affordable and Workforce Housing Study Group, appointed by the Mayor, to address the affordable housing crisis in the City. These zoning code change responds to this identified need and provides a pathway for retaining these units.

**The proposed Zoning Code Amendment will not adversely affect the character, livability or appropriate development of the City, and is in conformity with public necessity convenience, general welfare, and good planning practice.** As the City's current zoning code has not been substantively updated since 1989, there are many sections of the current code that maintain outdated standards, regulations, and references that affect quality of life in the City and inhibit good planning. The proposed amendment would allow flexibility with regard to certain standards that currently present a barrier to retaining existing units that make up an important part of the City's housing stock and currently house families, often of lower incomes. Approval of the units would be subject to the Site Plan Review process. This process would provide an opportunity for the City to bring these units up to current building code standards and would add to the restricted affordable housing stock of the City as a result of the requirement that affordable covenants be recorded on the properties requiring the units to be retained as moderate income or lower units for a period of 10 years. This change will respond to a community need for affordable housing and a diverse housing stock. The change is consistent with good planning practice and furthers the public interest to promote development and investment that is consistent with the General Plan.

**The proposed Zoning Code Amendment is consistent and compliant with the California Environmental Quality Act.** No adverse environmental impacts are expected as a result of the proposed action. The proposed action modifies certain development standards to legalize existing informal units in the City where. The proposed ordinance does not change the density, height, intensity of land use, or allowable land uses of the underlying zoning and therefore does not result in an increase in overall development nor impact the scale or character of affected areas. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the Zoning Code Amendment is exempt from CEQA under Section 15305 (Minor Alterations to Land Use Limitations) and Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and none of the exceptions in Section 15300.2 apply. Section 15305 exempts projects that consist of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. The properties affected by this ZCA have an average slope of less than 20%.

The ZCA is further exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15061(b)(3) (Common Sense Exemption), as it will not result directly or indirectly in significant environmental impacts. The Zoning Code Amendment does not result in any physical changes in the environment because it involves the legalization of dwelling units that already exist but are unpermitted and do not have a valid certificate of occupancy and as such will not result in a change in the physical environment.

**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

September 3, 2020

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach

California

RECOMMENDATION:

Recommend that the City Council determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5 – Minor Alterations to Land Use Limitations) of the CEQA Guidelines and none of the exceptions in 15300.2 apply; and that is further exempt pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15061(b)(3) (Common Sense Exemption), as it will not result directly or indirectly in significant environmental impacts. (CE20-091); and

Recommend that the City Council adopt Zoning Code Amendment ZCA20-013, consisting of amendments to Title 21 of the Long Beach Municipal Code (LBMC) related to the following: 21.66 establishing a process to allow the legalization of existing, unpermitted units, subject to provisions outlined in the proposed ordinance. (Citywide)

APPLICANT: City of Long Beach, Development Services Department  
411 West Ocean Boulevard, 3rd Floor  
Long Beach, CA 90802  
(Application No. 2003-11)

**BACKGROUND**

The City of Long Beach has housing units that have developed over time without building permits. These units provide much needed housing, tend to be naturally occurring affordable units, and fulfill an important niche in the housing market. These units, which generally represent one or two units carved out of ancillary spaces like laundry rooms or storage areas, or which have resulted from modest additions in existing otherwise legally permitted multifamily buildings, may exceed the number of dwelling permitted by the zone or otherwise be out of compliance with underlying zoning regulations and development standards.

Currently, there is no clear pathway to encourage the rehabilitation and preservation of these units, and in some instances, these units must be removed to bring a property into compliance with zoning regulations. The proposed ordinance creates an amnesty program to legalize these informal units. Preservation of existing occurring affordable housing units has been identified as a goal of the City. It is consistent with and implements Everyone Home recommendation 2e "to expand the number of rent-stabilized units," and Policy 1.1 of the 2017 report prepared by the Mayor's Affordable and Workforce Housing Study Group and adopted by City Council "to encourage the preservation of existing housing stock, consistent with the City's adopted Housing Element." Preservation of existing housing units is also a goal of the City's adopted Housing Element.

Moreover, the City is currently in the process of updating its Housing Element, in accordance with state law, and is pursuing a number of housing ordinances and initiatives that will aim to increase housing supply and enable the City to meet its Regional Housing Needs Assessment (RHNA) obligation under the Housing Element.

### **DISCUSSION**

The proposed amendment would add a new section to Title 21 of the City's Municipal Code that would allow the preservation of informal dwelling units by exempting them from zoning regulations, such as density restrictions and parking and setback requirements. Compliance with zoning regulations can pose a barrier to the legalization of these units and exempting them from such provisions of the Zoning Code can serve to preserve this important component of the City's housing stock.

The legalization of these units would be permitted with approval by the Site Plan Review Committee and would be appealable only by the applicant to the Planning Commission. By creating a process to legalize these informal units, the City would be able to conduct building inspections and bring the units into compliance with applicable fire, life and safety standards to ensure the safety and habitability of the units. In exchange for legalization, applicants would be required to record an affordability covenant on the property reserving the unit as a income restricted housing unit for a period of 10 years. The required affordability level will be the lower of the existing tenant's income level or a moderate-income rent restriction. In the instance where the income of the current tenant is above the median income, then the 10-year affordability period would be deferred and would start when the unit is occupied by a tenant whose income meets the income restriction, i.e. has an income that is defined as moderate income or lower. Preservation of these units represents a cost effective and environmentally sensitive way to provide and retain critical affordable housing units in the City.

Units eligible for this amnesty program are those are in any zone other than the IG and IP industrial zones and have been occupied for more than 30 continuous days prior to December 31, 2016. The units would additionally be subject to an annual covenant monitoring fee, so the City can ensure that the units are being retained as income-restricted units for the life of the covenant.

### **SUMMARY OF COMMUNITY ENGAGEMENT AND PUBLIC COMMENT**

The community outreach for the proposed Zoning Code amendment was conducted as part of the Housing Element Update outreach process. A community forum was held on August 12, 2020, during which the proposed informal dwelling unit amnesty program was presented to community members. The meeting was attended by a total of 40 community members. The inquiries and comments at that meeting spanned a wide range of housing-related topics. Many of the inquiries pertained to other housing-related initiatives such as a proposed micro-unit pilot program and the Inclusionary Housing policy. A couple of inquiries were made about the subject ordinance, but no substantive feedback was provided.

### **PUBLIC HEARING NOTICE**

In accordance with public hearing notification requirements for a Zoning Code Amendment in Long Beach Municipal Code (LBMC) Section 21.21.302.C, notice of this public hearing was published in the Long Beach Press-Telegram on August 19, 2020. Due to the declared state of emergency, notices were not provided to City libraries (they are closed), notice posting was provided at City Hall but not at multiple locations. A notice



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

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY ADDING CHAPTER 21.66 RELATING  
TO AN UNPERMITTED DWELLING UNIT AMNESTY  
PROGRAM

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

Section 1. The Long Beach Municipal Code is amended by adding  
Chapter 21.66 to read as follows:

Chapter 21.66

Unpermitted Dwelling Unit Amnesty Program

21.66.010 Purpose.

To develop a dwelling unit amnesty program to preserve existing dwellings, bring them into compliance with applicable Building Code standards, and maintain them as income restricted affordable units in accordance with recommendation 2e of the "Everyone Home Long Beach" plan "to expand the number of rent-stabilized units," and Policy 1.1 of the 2017 report prepared by the Mayor's Affordable and Workforce Housing Study Group and adopted by City Council "to encourage the preservation of existing housing stock, consistent with the City's adopted Housing Element." This Section is not intended for housing units that are eligible for legalization as accessory dwelling units through the Accessory Dwelling Unit (ADU) process.

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21.66.020 Compliance with applicable development standards and Zoning Code requirements.

A. 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:

1. Minimum Lot Area per Dwelling Unit or Guest Room.

The units shall not be subject to any density limitations imposed by the underlying zoning.

2. 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.

3. Minimum Yard and Setback Requirements. The units

shall not be subject to any yard or setback requirements imposed by the underlying zoning.

4. Any Other Development Standards. The units shall not

be subject to any other provision of the underlying zoning or applicable development standards that would preclude the preservation of the dwelling unit.

21.66.030 Building Code Compliance.

Notwithstanding any exemptions to 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.

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21.66.040 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 thirty (30) continuous days prior to December 31, 2016, which occupancy shall be demonstrated by the Applicant with proof satisfactory to the Director of Development Services, or designee.

21.66.050 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, as determined by Area Median Income (AMI) limits established by the Department of Housing and Urban Development (HUD).

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.

21.66.060 Review Process.

Site Plan Review shall be required pursuant to Chapter 21.25 of the Municipal Code. Existing dwelling units that are eligible for the informal dwelling unit amnesty program and are located in the Coastal Zone shall be

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required to obtain a Local Coastal Development Permit pursuant to LBMC 21.25.903; however, a public hearing for the Local Coastal Development Permit shall not be required.

21.66.070 Appeals.

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

Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 W. Ocean Boulevard, 9th Floor  
Lona Beach, CA 90802

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_  
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Recusal(s): Councilmembers: \_\_\_\_\_  
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\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF  
DEVELOPMENT SERVICES TO SUBMIT AMENDMENTS  
TO THE LONG BEACH ZONING REGULATIONS TO THE  
CALIFORNIA COASTAL COMMISSION FOR ITS REVIEW,  
APPROVAL AND CERTIFICATION

WHEREAS, on \_\_\_\_\_, 2021, the City Council of the City of  
Long Beach amended certain provisions of the Long Beach Zoning Regulations, Title 21,  
of the Long Beach Municipal Code; and

WHEREAS, it is the desire of the City Council to submit the above  
referenced zoning regulation amendments to the California Coastal Commission for its  
review and certification; and

WHEREAS, the Planning Commission and City Council gave full  
consideration to all facts and the proposals respecting the amendments to the zoning  
regulations at properly noticed and advertised public hearings; and

WHEREAS, the City Council, in accordance with the recommendation of  
the Planning Commission, approved the proposed amendments to the zoning regulations  
by adopting amendments to Title 21. The proposed zoning regulation amendments are  
to be carried out in a manner fully consistent with the Coastal Act and become effective in  
the Coastal Zone immediately upon Coastal Commission certification and approval; and

WHEREAS, the City Council hereby finds that the proposed zoning  
amendments will not adversely affect the character, livability or appropriate development  
in the City of Long Beach and that the amendments are consistent with the goals,  
objectives and provisions of the City's General Plan and the California Coastal Act.

NOW, THEREFORE, the City Council of the City of Long Beach resolves as

1 follows:

2                   Section 1.    The amendment to the Long Beach Zoning Regulations of the  
3 City of Long Beach adopted on \_\_\_\_\_, 2021, by Ordinance No.  
4 ORD-21-\_\_\_\_\_, a copy of which is attached to and incorporated in this  
5 resolution as Exhibit "A", is hereby submitted to the California Coastal Commission for its  
6 earliest review as to that part of the ordinance that directly affects land use matters in that  
7 portion of the California Coastal Zone within the City of Long Beach.

8                   Section 2.    The Director of Development Services of the City of Long  
9 Beach is hereby authorized to and shall submit a certified copy of this resolution, together  
10 with appropriate supporting materials, to the California Coastal Commission with a  
11 request for its earliest action, as an amendment to the Local Coastal program that will  
12 take effect automatically upon Coastal Commission approval pursuant to the Public  
13 Resources Code or as an amendment that will require formal City Council adoption after  
14 Coastal Commission approval.

15                   Section 3.    This resolution shall take effect immediately upon its adoption  
16 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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CHARLES PARKIN, City Attorney  
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I certify that this resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2021, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Recusal(s): Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk