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

ORDINANCE NO. ORD-07-0054

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH RELATING TO THE TEMPORARY
LIMITATION OF CERTAIN CONSTRUCTION AND
DEVELOPMENT ACTIVITIES IN THE BELMONT SHORE
AREA OF THE CITY 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. Purpose and Findings. At the direction of the City Council, the Department of Planning and Building and the Planning Commission will undertake or are currently studying potential amendments to the Zoning or Building Codes of the City of Long Beach relating to neighborhood character stabilization in order to respond to the issue of "mansionization" that has reported to be occurring in the Belmont Shore area of the City. The City Council, concerned citizens and other individuals, have expressed that changes to existing zoning or building regulations are desired in order to curtail "mansionization" and otherwise stabilize existing neighborhoods as well as certain structures with historical or architectural significance in the City, and that certain construction activities and/or remodeling in said Belmont Shore area during the pendency of said studies may defeat the effectiveness of regulations ultimately adopted as a result of the current study and review. The City Council specifically finds that the existing zoning and building regulations of the City permit one or more uses, development standards, or construction activities which are, or may be, in conflict with the zoning and

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building regulations that are or will be studied by the Department of Planning and Building and the Planning Commission pursuant to the City Council's direction.

Section 2. Estimated Time for Completion of Study. It is estimated that the study or studies undertaken in connection with the adoption of this interim ordinance shall take approximately one year to complete.

Prohibition on Activities in the Belmont Shore area of the City. Section 3. During the term of the one (1) year interim period, 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 addition of floor area that would exceed two stories to any residential structure in the Belmont Shore area (as shown on the map attached as Exhibit "A").

Section 4. Exceptions. The prohibitions contained in this ordinance do not apply where an application for said development or construction was on file, and deemed complete by the Department of Planning and Building on or before October 9, 2007, provided that said development or construction was otherwise permitted by the zoning or building regulations at the time of application

Section 5. The City Council finds and determines that the proposed interim ordinance is not in conflict with the various provisions of the California Coastal Act, because, among other things, the proposed interim ordinance does not alter or change existing height limitations in the affected area, and only serves to clarify existing zoning regulations.

Declaration of Urgency. This ordinance is an emergency Section 6. 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.

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Section 7. 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 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless, be and become effective on the thirty-first day after it is approved by the Mayor. The City Clerk shall certify to the passage of this ordinance by the City Council of the City of Long Beach and shall cause the same to be posted in three conspicuous places in the City of Long Beach.

I hereby certify that on a separate roll call and vote which was taken by the City Council of the City of Long Beach upon the question of emergency of this ordinance at its meeting of November 6, 2007, the ordinance was declared to be an emergency by the following vote:

Ayes: Councilmembers:

B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,

Gabelich, Lerch.

None.

Absent: Councilmembers:

Reyes Uranga.

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

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| 1 | Beach by the following vote: | | |
| 2 | Ayes: | Councilmembers: | B. Lowenthal, S. Lowenthal, DeLong, |
| 3 | | | O'Donnell, Schipske, Andrews, |
| 4 | | | Gabelich, Lerch. |
| 5 | Noes: | Councilmembers: | None. |
| 6 | | | |
| 7 | Absent: | Councilmembers: | Reyes Uranga. |
| 8 | | | |
| 9 | | | |
| 10 | I further certify that the foregoing ordinance was thereafter adopted on fina | | |
| 11 | reading by the City Council of the City of Long Beach at its meeting of November 13 | | |
| 12 | 2007, by the following vote: | | |
| 13 | Ayes: | Councilmembers: | B. Lowenthal, DeLong, O'Donnell, |
| 14 | | | Schipske, Andrews, Gabelich, Lerch. |
| 15 | | | |
| 16 | Noes: | Councilmembers: | None. |
| 17 | | | |
| 18 | Absent: | Councilmembers: | S. Lowenthal, Reyes Uranga. |
| 19 | | | |
| 20 | | | |
| 21 | | | Laylenen |
| 22 | | | Cierk |
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| 24 | Approved: | 7/19/07 Date) | Mayor |
| 25 | | , | |
| 26 | | | |
| 27 | | | |

MJM:kjm 10/31/07



Belmont Shore Neighborhood