

ORDINANCE NO. C- 7968

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH RELATING TO THE TEMPORARY LIMITATION OF CERTAIN CONSTRUCTION ACTIVITIES CITY-WIDE, WHEREIN THE INTERIOR ALTERATION OF EXISTING LIVING AREAS IN MULTI-FAMILY RESIDENTIAL PROPERTIES RESULTS IN THE CREATION OF NEW BEDROOMS; 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 the growing trend in the City of remodeling the interior of existing multi-family residential units to create additional bedrooms or living spaces, without providing increased on-site or off-site parking to accommodate the increased numbers of persons residing in said residential units. Concerned citizens and other individuals, have expressed that changes to existing zoning or building regulations are desired, and that continued construction and or remodeling to create additional bedrooms 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 building regulations that are or will be studied

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1 by the Department of Planning and Building and the Planning Commission pursuant to
2 the City Council's direction. The City Council further finds that the renovation of existing
3 multi-family residential structures to create additional bedrooms typically occurs through
4 reducing the size of existing living rooms or dining rooms or other living spaces, or by
5 dividing existing bedrooms to create significantly smaller bedroom areas, all of which
6 has lead to overcrowding and the diminishment of the quality of life of those residing in
7 the units and those residing in the neighborhoods where said construction or bedroom
8 additions have taken place. In most cases, the remodeling occurs on sites with older
9 properties that do not meet current density, parking, or open space requirements. The
10 City Council further finds that said construction and the addition of bedrooms has the
11 effect of exacerbating the parking problems already existing in the areas affected, many
12 of which areas are already over-crowded and severely parking impacted.

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

16 Sec. 3. Prohibition. No application for a building permit, construction
17 permit, or variance, of any kind, shall be approved, nor shall any such permit be issued,
18 for any construction activity that would result in the interior alteration of multi-family
19 residential units so as to create additional bedrooms prior to January 31, 2006, or the
20 effective date of an ordinance permanently adopting zoning or building regulations
21 relating to the aforementioned subject, adopted after the adoption of this ordinance,
22 whichever occurs first. For the purpose of this ordinance, "multi-family residential units"
23 are defined as buildings containing more than one dwelling unit and single-family
24 residences where more than one dwelling unit exists on a lot.

25 Sec. 4. Exceptions. Nothing in this ordinance shall prohibit or restrict the
26 approval or issuance of any building or construction permit during the period of
27 limitation if parking is provided in accordance with Chapter 21.41 of the Code, or the
28 applicant/owner provides additional parking as follows: one additional garage parking

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1 space shall be provided for each new bedroom created until the parking provided for
2 the improvements on the property complies with Chapter 21.41. Further, the prohibition
3 contained in this ordinance does not apply where two or more units are combined into a
4 single unit, provided that the total number of bedrooms in the combined unit or units is
5 not increased.

6 Sec. 5. Declaration of Urgency. This ordinance is an emergency
7 measure, and it is urgently required for the reason that, pending completion of the
8 necessary planning study, and a determination relative to the potential need to amend
9 the Code, it is necessary to limit construction or development of additional bedroom
10 spaces in order to avoid the adverse impacts associated with said construction that
11 might be inconsistent with the pending revisions to the zoning or building regulations of
12 the City being considered City-wide.

13 Sec. 6. This ordinance is an emergency ordinance duly adopted by the
14 City Council by a vote of five of its members and shall take effect immediately. The City
15 Clerk shall certify to a separate roll call and vote on the question of the emergency of
16 this ordinance and to its passage by the vote of five members of the City Council of the
17 City of Long Beach, and cause the same to be posted in three conspicuous places in
18 the City of Long Beach.

19 This ordinance shall also be adopted by the City Council as a regular
20 ordinance, to the end that in the event of any defect or invalidity in connection with the
21 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless,
22 be and become effective on the thirty-first day after it is approved by the Mayor. The
23 City Clerk shall certify to the passage of this ordinance by the City Council of the City of
24 Long Beach and shall cause the same to be posted in three conspicuous places in the
25 City of Long Beach.

26 I hereby certify that on a separate roll call and vote which was taken by
27 the City Council of the City of Long Beach upon the question of emergency of this
28 ordinance at its meeting of February 1, 2005, the ordinance was

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1 declared to be an emergency by the following vote:
2 Ayes: Councilmembers: Lowenthal, O'Donnell, Kell,
3 Richardson, Reyes Uranga,
4 Gabelich, Lerch.
5 Noes: Councilmembers: None.
6 _____
7 Absent: Councilmembers: Baker, Colonna.
8 _____
9 _____

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

13 Ayes: Councilmembers: Lowenthal, O'Donnell, Kell,
14 Richardson, Reyes Uranga,
15 Gabelich, Lerch.
16 Noes: Councilmembers: None.
17 _____
18 Absent: Councilmembers: Baker, Colonna.
19 _____
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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
_____, 2005, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Clerk

Approved: _____
(Date)

Mayor

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