



Motel Conversion and Unpermitted Dwelling Units Amnesty Ordinance Proposed Modifications

City Council Public Hearing – May 16, 2023

Ordinance History

- **October 6, 2020** - The City Council approved Ordinance No. ORD-20-0041 adding Chapter 21.65 to Title 21 of the Long Beach Municipal Code (LBMC), related to establishing an Ordinance for the conversion of motels and/or hotels for supportive or transitional housing.
- **January 12, 2021** - The City Council approved Ordinance No. ORD-21-0002 adding Chapter 21.66 to Title 21 of the LBMC, related to establishing an Unpermitted Dwelling Unit (UDU) Amnesty Ordinance.
- **November 9, 2021** - The City Council approved Resolution No. RES-21-0140 directing the Director of Development Services to submit a consolidated Local Coastal Program Amendment (LCPA) for four previously approved Ordinances to the California Coastal Commission (Coastal Commission).
- **December 28, 2021** - City submitted the LCPA request to the Coastal Commission.
- **March 9, 2023** - Coastal Commission approved the LCPA with three required modifications.

Coastal Commission Action: March 9, 2023 Hearing

- Recommended approval of LCPA to adopt Ordinances with three modifications:
 - Modifications must be adopted by the City Council and submitted to the Coastal Commission within six months of the March 9, 2023 hearing date.
 - Modifications included revisions to Title 21 of the LBMC.

Overview of Modifications

- **Modification 1:** Clarify that motel/hotel conversions within the coastal zone require a coastal development permit and ensure appropriate findings are made.
- **Modification 2:** Clarify that unpermitted dwelling unit legalization within the coastal zone requires a coastal development permit and ensure appropriate findings are made.
- **Modification 3:** Clarify appealability of UDU legalization projects and correct minor nomenclature errors.

Required Local Coastal Development Permit Findings

- **Motel Conversion Ordinance Applications:** An analysis related to the protection of existing lower cost overnight visitor-serving accommodations. Applications may be required to provide an alternatives analysis and minimization/mitigation for effects on visitor-serving accommodations.
- **UDU Amnesty Ordinance Applications:** For an application to legalize an UDU, the project shall conform with the certified local coastal program, including habitat protection policies and coastal hazards policies. For dwelling units subject to coastal hazards, the Applicant shall be required to assume the risk of development in a hazardous area.

California Environmental Quality Act (CEQA)

- The proposed modifications are necessary for certification of the LCPA by the Coastal Commission. No additional action is required for environmental review.
- In accordance with CEQA, Public Resources Code Section 21080.9 and California Code of Regulations Section 15265(a)(1), the proposed modifications are statutorily exempt as CEQA does not apply to activities and approvals by the City necessary for the preparation and adoption of an LCPA.

California Environmental Quality Act (CEQA) (continued)

- The previously approved Ordinances were determined to be Statutorily and Categorically Exempt:
 - **Motel Conversion Ordinance:** Statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.50.
 - **UDU Amnesty Ordinance:** Categorically exempt from CEQA under Section 15305 (Minor Alterations to Land Use Limitations), Section 15308 (Actions by Regulatory Agencies for Protection of the Environment), and Section 15061 (b)(3) (Common Sense Exemption).

Next Steps

- Upon the City Council approval, City staff will resubmit the revisions to the Coastal Commission within the six month timeframe
- The Coastal Commission will hold a hearing for LCPA certification
- Upon Coastal Commission certification, the Ordinances will be in effect in the Coastal Zone
- City staff is continuing to refine our housing approach, separate and apart from these discussions with the Coastal Commission:
 - Legalizing most unpermitted units through the emergency declaration
 - Preparing permanent regulatory relief for when the emergency lapses
 - Preparing a new Accessory Dwelling Unit Ordinance

Recommendation

Receive supporting documentation into the record, conclude the public hearing, find the Municipal Code amendments consistent with the previously approved Statutory and Categorical Exemptions (CE-20-091) and find the Municipal Code amendments exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.9 and Cal. Code Regs. Tit. 14, Section 15265;

Declare Ordinance approving a Zoning Code Amendment amending Title 21, Zoning Regulations, of the Long Beach Municipal Code, to implement modifications requested by the California Coastal Commission, read the first time and laid over to the next regular meeting of the City Council for final reading; and,

Adopt a Resolution authorizing the City Manager, or designee, to submit the Local Coastal Program Amendment (LCP-5-LOB-21-0089-3-Part B) and associated materials to the California Coastal Commission for its review and certification in compliance with the California Coastal Commission's March 9, 2023 action.

(Citywide)



Thank you

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