



Unpermitted Dwelling Unit Amnesty Ordinance – Zoning Code Amendment

City Council Public Hearing

January 5, 2021

Project Context & Rationale

- Providing a pathway for legalizing unpermitted dwelling units is one of several strategies the City is pursuing to help address the housing crisis
 - ✓ Los Angeles, West Hollywood, San Francisco have similar amnesty programs
- The proposed program implements previous policy direction from the City Council
- The program will help the City meet its 26,000-unit RHNA requirement through 2029
- The Planning Commission recommended this program to the City Council in September 2020

Informal Dwelling Unit Amnesty Ordinance Goals

Goals

- Implement Everyone Home recommendation 2e to expand the number of rent-stabilized units
- Implement Policy 1.1 of the Revenue Tools and Incentives for The Production of Affordable and Workforce Housing study to encourage the preservation of existing housing stock
- Increase housing quality and safety by ensuring units are brought up to current fire, life and safety standards through the legalization process



Informal Dwelling Unit Amnesty Ordinance Overview

Process for Legalization of “Unpermitted” Housing Units

Current

- Requires approval by the Zoning Administrator at a public hearing
- Limited to units created prior to 1964



Proposed

- Allow for approval through a ministerial Site Plan Review Committee
- Applicant (only) appeals to Planning Commission
- Building Bureau Special Inspection

Informal Dwelling Unit Amnesty Ordinance Details

Ordinance Details

Target Units	Units that do not qualify for legalization as ADUs
Eligible Zones	All excluding heavy industrial zones
Date of Occupancy	Occupied, as a residence, for more than 30 continuous days prior to December 31, 2016
Affordability Covenant	<ul style="list-style-type: none">• The lower of: 1) the existing tenant's income level or 2) moderate income rent restriction for a period of 10-years• Shall be subject to annual covenant monitoring fee
Density Restrictions, Parking and All Other Development (Planning) Standards	Waived
Fire, Life, Safety	Building permit and inspection required, may be subject to adaptive reuse/historic building code relief

Public Outreach and Comments



Public Outreach

- Planning Commission Study Session (July 16, 2020)
- Community forum part of Housing Element Update process (August 12, 2020)
- Long Beach Press Telegram publication
- LinkLB email blast



Summary of Public Comments

- Inquiries on the Unpermitted Dwelling Unit Amnesty Program
- Limited substantive feedback included:
 - Concern about the ordinance encouraging illegal construction of units
 - How City will ensure safety of units and compliance with rent restrictions

Environmental Review

- The Zoning Code Amendment is exempt from CEQA pursuant to Section 15305 and none of the exceptions in Section 15300.2 apply
- The ZCA is further exempt pursuant to Section 15308 and Section 15061 (b)(3) as it will not result directly or indirectly in significant environmental impacts
- Projects seeking approval subsequent to this Zoning Code Amendment will be subject to individual CEQA review, as appropriate

Recommendation

1. 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”);
2. Declare an Ordinance amending Title 21, Zoning Regulations (Zoning Code), of the Long Beach Municipal Code to add a Chapter 21.66 to establish a process to allow the legalization of existing, unpermitted units; and,
3. Adopt Resolution authorizing the Director of Development Services to submit amendments to the Long Beach Zoning Code to the California Coastal Commission for its review, approval and certification. (Citywide)



Thank you

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