

ORDINANCE NO. ORD-08-0031

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING ORDINANCE NO.  
ORD-07-0048 RELATING TO THE TEMPORARY  
LIMITATION OF CERTAIN CONSTRUCTION AND  
DEVELOPMENT ACTIVITIES IN THE RANCHO ESTATES  
AREA OF THE CITY PROHIBITING RESIDENTIAL  
CONSTRUCTION OF SECOND STORIES AND  
DEMOLITION OF ANY RESIDENTIAL STRUCTURE 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. Section 3 of Ordinance No. ORD-07-0048, adopted as an  
emergency ordinance on October 16, 2007, is hereby amended to read as follows:

Section 3. Prohibition on Activities in the Rancho Estates Area of  
the City. During the term of the one year interim period between October  
16, 2007 and October 16, 2008, and the additional six (6) month interim  
period between October 16, 2008 and April 14, 2009, 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 following activities in the Rancho Estates  
area (as shown on the map attached as Exhibit "A"):

1                   A.       Construction of second stories. This prohibition shall  
2 include new construction of a two-story home, second-story  
3 additions to existing two-story homes, and second-story additions  
4 to existing one-story homes.

5                   B.       The Demolition of any residential structure located  
6 within the Rancho Estates area. For the purposes of this  
7 subsection, the term "demolition" shall be defined as follows: (1)  
8 Removal of more than thirty percent (30%) of exterior walls in  
9 whole or in part. (2) Replacement of windows or doors where the  
10 frame remains intact shall count as removal of an exterior wall. (3)  
11 Removal of exterior surface finishes such as wood siding or stucco  
12 shall count as removal of an exterior wall.

13               Section 2.   Declaration of Urgency. This ordinance is an emergency  
14 measure, and it is urgently required for the reason that, pending completion of the  
15 necessary planning study, and a determination relative to the potential need to amend  
16 the Code, it is necessary to limit construction or development in order to avoid the  
17 adverse impacts associated with said construction that might be inconsistent with the  
18 pending revisions to the zoning or building regulations of the City being considered  
19 during the interim period.

20               Section 3.   This ordinance is an emergency ordinance duly adopted by  
21 the City Council by a vote of five of its members and shall take effect immediately. The  
22 City Clerk shall certify to a separate roll call and vote on the question of the emergency  
23 of this ordinance and to its passage by the vote of five members of the City Council of  
24 the City of Long Beach, and cause the same to be posted in three conspicuous places  
25 in the City of Long Beach.

26               This ordinance shall also be adopted by the City Council as a regular  
27 ordinance, to the end that in the event of any defect or invalidity in connection with the  
28

1 adoption of this ordinance as an emergency ordinance, the same shall, nevertheless, be  
2 and become effective on the thirty-first day after it is approved by the Mayor.

3 The City Clerk shall certify to the passage of this ordinance by the City  
4 Council of the City of Long Beach and shall cause the same to be posted in three  
5 conspicuous places in the City of Long Beach.

6 I hereby certify that on a separate roll call and vote which was taken by  
7 the City Council of the City of Long Beach upon the question of emergency of this  
8 ordinance at its meeting of November 18, 2008, the ordinance was declared  
9 to be an emergency by the following vote:

10	Ayes:	Councilmembers:	<u>B. Lowenthal, S. Lowenthal, DeLong,</u>
11			<u>O'Donnell, Schipske, Andrews,</u>
12			<u>Reyes Uranga, Gabelich, Lerch.</u>
13	Noes:	Councilmembers:	<u>None.</u>
14			<u></u>
15	Absent:	Councilmembers:	<u>None.</u>
16			<u></u>

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

22	Ayes:	Councilmembers:	<u>B. Lowenthal, S. Lowenthal, DeLong,</u>
23			<u>O'Donnell, Schipske, Andrews,</u>
24			<u>Reyes Uranga, Gabelich, Lerch.</u>
25	Noes:	Councilmembers:	<u>None.</u>
26			<u></u>
27	Absent:	Councilmembers:	<u>None.</u>
28			<u></u>

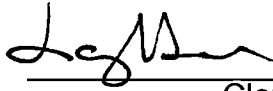
1 I further certify that the foregoing ordinance was thereafter adopted on  
2 final reading by the City Council of the City of Long Beach at its meeting of

3 December 2, 2008, by the following vote:

4 Ayes: Councilmembers: Schipske, Andrews, Reyes Uranga,  
5 Gabelich, Lerch.

6  
7 Noes: Councilmembers: None.

8  
9 Absent: Councilmembers: S. Lowenthal, DeLong, O'Donnell.

10  
11 

12 Clerk

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14 Approved: Dec 4, 2008  
15 (Date)

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18 Mayor

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