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RESOLUTION NO. RES-21-0004

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF  
DEVELOPMENT SERVICES TO SUBMIT AMENDMENTS  
TO THE LONG BEACH ZONING REGULATIONS TO THE  
CALIFORNIA COASTAL COMMISSION FOR ITS REVIEW,  
APPROVAL AND CERTIFICATION

WHEREAS, on January 5, 2021, the City Council of the City of  
Long Beach amended certain provisions of the Long Beach Zoning Regulations, Title 21,  
of the Long Beach Municipal Code; and

WHEREAS, it is the desire of the City Council to submit the above  
referenced zoning regulation amendments to the California Coastal Commission for its  
review and certification; and

WHEREAS, the Planning Commission and City Council gave full  
consideration to all facts and the proposals respecting the amendments to the zoning  
regulations at properly noticed and advertised public hearings; and

WHEREAS, the City Council, in accordance with the recommendation of  
the Planning Commission, approved the proposed amendments to the zoning regulations  
by adopting amendments to Title 21. The proposed zoning regulation amendments are  
to be carried out in a manner fully consistent with the Coastal Act and become effective in  
the Coastal Zone immediately upon Coastal Commission certification and approval; and

WHEREAS, the City Council hereby finds that the proposed zoning  
amendments will not adversely affect the character, livability or appropriate development  
in the City of Long Beach and that the amendments are consistent with the goals,  
objectives and provisions of the City's General Plan and the California Coastal Act.

NOW, THEREFORE, the City Council of the City of Long Beach resolves as

1 follows:

2           Section 1.    The amendment to the Long Beach Zoning Regulations of the  
3 City of Long Beach adopted on January 12, 2021, by Ordinance No.  
4 ORD-21-0002, a copy of which is attached to and incorporated in this  
5 resolution as Exhibit "A", is hereby submitted to the California Coastal Commission for its  
6 earliest review as to that part of the ordinance that directly affects land use matters in that  
7 portion of the California Coastal Zone within the City of Long Beach.

8           Section 2.    The Director of Development Services of the City of Long  
9 Beach is hereby authorized to and shall submit a certified copy of this resolution, together  
10 with appropriate supporting materials, to the California Coastal Commission with a  
11 request for its earliest action, as an amendment to the Local Coastal program that will  
12 take effect automatically upon Coastal Commission approval pursuant to the Public  
13 Resources Code or as an amendment that will require formal City Council adoption after  
14 Coastal Commission approval.

15           Section 3.    This resolution shall take effect immediately upon its adoption  
16 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802

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I certify that this resolution was adopted by the City Council of the City of Long Beach at its meeting of January 5, 2021, by the following vote:

Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,  
Mungo, Saro, Uranga, Austin,  
Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Recusal(s): Councilmembers: None.

  
\_\_\_\_\_  
City Clerk

# EXHIBIT A

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 W. Ocean Boulevard, 9th Floor  
Long Beach, CA 90802

ORDINANCE NO. ORD-21-0002

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY ADDING CHAPTER 21.66 RELATING  
TO AN UNPERMITTED DWELLING UNIT AMNESTY  
PROGRAM

The City Council of the City of Long Beach ordains as follows:

Section 1. The Long Beach Municipal Code is amended by adding  
Chapter 21.66 to read as follows:

Chapter 21.66

Unpermitted Dwelling Unit Amnesty Program

21.66.010 Purpose.

To develop a dwelling unit amnesty program to preserve existing dwellings, bring them into compliance with applicable Building Code standards, and maintain them as income restricted affordable units in accordance with recommendation 2e of the "Everyone Home Long Beach" plan "to expand the number of rent-stabilized units," and Policy 1.1 of the 2017 report prepared by the Mayor's Affordable and Workforce Housing Study Group and adopted by City Council "to encourage the preservation of existing housing stock, consistent with the City's adopted Housing Element." This Section is not intended for housing units that are eligible for legalization as accessory dwelling units through the Accessory Dwelling Unit (ADU) process.

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21.66.020 Compliance with applicable development standards and Zoning Code requirements.

A. Existing dwelling units that do not have a certificate of occupancy at the time of application that are located in otherwise legally permitted structures, which shall be referred to in this section as “unpermitted dwelling units,” shall not be subject to any otherwise applicable zoning ordinance, specific plan, or other overlay district regulations, including, but not limited to, the following:

1. Minimum Lot Area per Dwelling Unit or Guest Room.

The units shall not be subject to any density limitations imposed by the underlying zoning.

2. Off-Street Automobile Parking. The units shall not be

subject to any applicable off-street automobile parking requirements. The existing number of parking spaces existing on the site as of the date of the application shall be maintained and shall not be reduced.

3. Minimum Yard and Setback Requirements. The units

shall not be subject to any yard or setback requirements imposed by the underlying zoning.

4. Any Other Development Standards. The units shall not

be subject to any other provision of the underlying zoning or applicable development standards that would preclude the preservation of the dwelling unit.

21.66.030 Building Code Compliance.

Notwithstanding any exemptions to zoning requirements detailed in this Section, the units shall comply with minimum applicable health and safety requirements established in Title 18, as determined by the Building Official.

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21.66.040 Eligibility.

Existing dwelling units eligible for the informal dwelling unit amnesty program:

- A. May be located in any zone, except for the IG and IP Industrial Zones;
- B. Shall have been occupied, as a residence, for more than thirty (30) continuous days prior to December 31, 2016, which occupancy shall be demonstrated by the Applicant with proof satisfactory to the Director of Development Services, or designee.

21.66.050 Affordability Covenant.

A. Applicants shall be required to record a covenant on the property that requires the unit to be retained as an income-restricted unit for a period of 10 years at an income level that is the lower of: 1) the existing tenant's income level or 2) a moderate-income household, as determined by Area Median Income (AMI) limits established by the Department of Housing and Urban Development (HUD).

B. The affordability period shall be deferred if the unit is occupied by a tenant with an existing lease who does not meet the subject income restriction. The affordability period shall begin when a tenant meeting the above income restriction occupies the unit.

C. The units shall be subject to the annual covenant monitoring fee.

21.66.060 Review Process.

Site Plan Review shall be required pursuant to Chapter 21.25 of the Municipal Code. Existing dwelling units that are eligible for the informal dwelling unit amnesty program and are located in the Coastal Zone shall be

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required to obtain a Local Coastal Development Permit pursuant to LBMC 21.25.903; however, a public hearing for the Local Coastal Development Permit shall not be required.

21.66.070 Appeals.

Only applicants may appeal Site Plan Review determinations to the Planning Commission.

Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 W. Ocean Boulevard, 9th Floor  
Long Beach, CA 90802

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of January 12, 2021, by the following vote:

Ayes: Councilmembers: Zendejas, Allen, Price,  
Supernaw, Mungo, Saro,  
Uranga, Austin, Richardson.

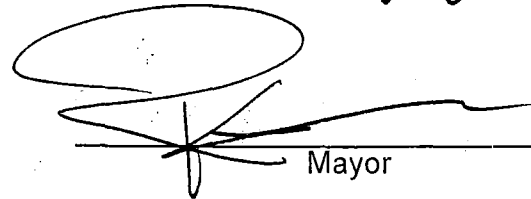
Noes: Councilmembers: None.

Absent: Councilmembers: None.

Recusal(s): Councilmembers: None.

  
City Clerk

Approved: 1/14/21  
(Date)

  
Mayor