



## Legislation Details (With Text)

<b>File #:</b>	13-0165	<b>Version:</b>	1	<b>Name:</b>	CD3,2,9 - Moratorium against Mort & Crem
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	2/12/2013	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	2/19/2013	<b>Final action:</b>		<b>Final action:</b>	2/19/2013
<b>Title:</b>	Recommendation to request City Council to adopt a minute order initiating a one-year, citywide moratorium against mortuaries and accessory crematoriums and directing the Planning Staff and the Planning Commission to undertake a study pursuant to Long Beach Municipal Code Chapter 21.50 to determine whether or not the City's current zoning regulations are appropriate or need further review or modification.				
<b>Sponsors:</b>	COUNCILMEMBER GARY DELONG, THIRD DISTRICT, COUNCILMEMBER SUJA LOWENTHAL, SECOND DISTRICT, COUNCILMEMBER STEVEN NEAL, NINTH DISTRICT				
<b>Indexes:</b>	Moratorium				
<b>Code sections:</b>					
<b>Attachments:</b>	1. 021913-NB-26sr&att.pdf, 2. 021913-NB-26 Correspondence.pdf, 3. 021913-NB-26-Handout - W Snipes.pdf				

Date	Ver.	Action By	Action	Result
2/19/2013	1	City Council	approve recommendation	Pass

Recommendation to request City Council to adopt a minute order initiating a one-year, citywide moratorium against mortuaries and accessory crematoriums and directing the Planning Staff and the Planning Commission to undertake a study pursuant to Long Beach Municipal Code Chapter 21.50 to determine whether or not the City's current zoning regulations are appropriate or need further review or modification.

On September 19, 2012, Amy J. Bodek, the Director of Development Services for Long Beach, issued a memorandum to my office in regards to a mortuary whose establishment in the Belmont Heights neighborhood created substantial constituent concern this past summer. In that memo, Development Services concluded that this permitted mortuary at 3501 E. yth Street, Long Beach, CA 90814, dba the Belmont Heights Funeral Center is currently able to construct a crematorium on their premises as a matter of right since the City's current Zoning Regulations treat such crematoriums as an "accessory use" to a mortuary. (LBMC, Chapter 21.31: Commercial Districts, Table 32-1).

In several of the City's commercial districts, the City's Zoning Regulations allow the establishment of mortuaries (and associated crematoriums) as a matter of right without any discretionary review by the Planning Commission or the City Council as to whether such a use is appropriate for in a particular neighborhood setting or whether such a use would have a detrimental impact to the quality of life, comfort and/or safety of surrounding residents. The appropriateness of the City's current Zoning Regulations as they relate to the establishment of mortuaries and their associated uses has not been studied by the Planning Commission or the City Council in many years. Given the recent concern expressed by residents and others, it is appropriate at this time to have the Planning Staff and the Planning Commission study this issue to determine if the City's current regulations are in need of revision.

There is no significant fiscal impact.

Approve recommendation.

GARY DELONG, COUNCILMEMBER  
THIRD DISTRICT

SUJA LOWENTHAL, COUNCILMEMBER  
SECOND DISTRICT

STEVE NEAL, COUNCILMEMBER  
NINTH DISTRICT