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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



January 26, 2001

MEMORANDUM**RECORD PACKET COPY**

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director
Deborah Lee, Deputy Director
Pam Emerson, Los Angeles County Area Supervisor
Charles Posner, Staff Analyst

SUBJECT: Concurrence with the Executive Director's determination that the action of the City of Long Beach accepting certification with suggested modifications of LCP Amendment No. 3-99 is legally adequate. (For Commission review at its February 13, 2001 meeting in San Luis Obispo.)

STAFF RECOMMENDATION

Staff recommends that the Commission concur with the Executive Director's determination that the City's action is legally adequate.

BACKGROUND

On September 10, 1999, the City of Long Beach submitted a request to amend its certified Local Coastal Program (LCP). The proposed LCP amendment, submitted as Parts A, B and C, affects only the Implementing Ordinances (LIP) portion of the certified LCP.

Part C of LCP Amendment No. 3-99, contained in City Council Ordinance No. C-7629, included only minor changes to correct four typographical errors in the zoning ordinance. On August 8, 2000, the Commission approved Part C of LCP Amendment No.3-99 as submitted by the City. Therefore, Part C of LCP Amendment No.3-99 is already effectively certified for implementation in the City's coastal zone.

On August 8, 2000, the Commission also approved Parts A and B of LCP Amendment No.3-99 with suggested modifications.

Part A of LCP Amendment No. 3-99, contained in City Council Ordinance No. C-7639, inserts into the zoning ordinance a new "reasonable accommodation" hearing process to bring the City's zoning regulations into compliance with the Federal Fair Housing Act of 1988. The Commission approved Part A of the LCP amendment with a suggested modification to add Section 21.25.1311.E to the proposed Reasonable Accommodation Ordinance in order to specifically address reasonable accommodation requests for housing located in the coastal zone.

Part B of LCP Amendment No. 3-99, contained in City Council Ordinance No. C-7607, corrected and clarified several sections of the City's zoning ordinance, and included one change that affected the threshold for obtaining a coastal development permit for projects on City land. The Commission approved Part B of the LCP amendment with a suggested modification to amend Section 21.25.502.A of the zoning ordinance in order to maintain the threshold for projects on City land in the coastal zone that require site plan review, and thus a coastal development permit.

On January 2, 2001, the Long Beach City Council unanimously adopted Resolution No. C-27789 and Ordinance No. C-7726 incorporating into the LCP the modifications suggested by the Commission pursuant to its approval of LCP Amendment No. 3-99 (See Attachment). On January 26, 2001, the City submitted Resolution No. C-27789 and Ordinance No. C-7726 to the Executive Director for a determination that the City has incorporated the Commission's suggested modifications into the LCP consistent with the Commission's action on August 8, 2000.

As provided in Section 13544 of the California Code of Regulations, the Executive Director must determine whether the City's action is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the City's action is legally adequate. Unless the Commission objects to the Executive Director's determination, the certification of Amendment No. 3-99 to the City of Long Beach LCP shall become effective upon the filing of the required notice of certification with the Secretary of Resources as provided in Public Resources Code Section 21080.5(d)(2)(V).

End/cp

RESOLUTION NO. C-27789

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH DIRECTING THE ZONING OFFICIAL TO TRANSMIT A COPY OF ORDINANCE NO. C- 7726, WHICH ORDINANCE ADOPTS CERTAIN MODIFICATIONS TO THE CITY'S ZONING REGULATIONS AS REQUESTED BY THE CALIFORNIA COASTAL COMMISSION IN CONNECTION WITH THE LONG BEACH LOCAL COASTAL PROGRAM (LCP) AMENDMENT NO. 3-99

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

WHEREAS, on January 2, 2001, the City Council of the City of Long Beach amended certain provisions of the Long Beach Zoning Regulations (the "Amendments") as set forth in Ordinance No. C- 7726 of the City of Long Beach; and

WHEREAS, said amendments to the zoning regulations include certain modifications to the City's Reasonable Accommodation regulations, Section 21.25.1311, and certain modifications to the City's regulations relating to the threshold for obtaining a Coastal Development Permit for projects on City land, Section 21.25.502.A, as requested by the California Coastal Commission in connection with the Long Beach Local Coastal Program (LCP) major amendment no. 3-99; 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 certification by its Executive Director as implementing ordinances of the Long Beach Local Coastal Program (LCP); and

WHEREAS, the City Council gave full consideration to all facts and the

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1 proposals respecting the amendments to the zoning regulations at a properly noticed and
2 advertised public hearing; and
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4 WHEREAS, the City Council approved the proposed changes to the LCP by
5 adopting the zoning regulations and the proposed zoning regulation amendments are to
6 be carried out in a manner fully consistent with the Coastal Act and become effective in the
7 Coastal Zone immediately upon Coastal Commission certification; and

8 WHEREAS, environmental documentation has been prepared, received and
9 considered as required by law, and the City Council hereby finds that the proposed zoning
10 regulation amendments will not adversely affect the character, livability or appropriate
11 development of the surrounding properties and that the amendments are consistent with
12 the goals, objectives and provisions of the City's General Plan.

13 NOW THEREFORE, the City Council of the City of Long Beach resolves as
14 follows:

15 Section 1. The amendments to the Long Beach Zoning Regulations
16 adopted by Ordinance No. C- 7726 of the Long Beach City Council on
17 January 2, 2001, a copy of which is attached to and incorporated in this
18 resolution as Exhibit "A", are hereby submitted to the California Coastal Commission for
19 its earliest review and certification.

20 Sec. 2. The Zoning Officer of the City of Long Beach is hereby directed to
21 submit a certified copy of this resolution, together with appropriate supporting materials,
22 to the California Coastal Commission with a request for its earliest certification.

23 Sec. 3. This resolution shall take effect immediately upon its adoption by the
24 City Council, and the City Clerk shall certify the vote adopting this resolution.

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1 I certify that this resolution was adopted by the City Council of the City of
2 Long Beach at its meeting of December 19, 2000, by the following vote:

3 Ayes: Councilmembers: Baker, Carroll, Kell,
4 Richardson-Batts, Grabinski, Webb,
5 Shultz.

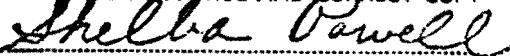
6 Noes: Councilmembers: None.

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9 Absent: Councilmembers: Colonna.

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14 City Clerk

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22 CERTIFIED AS A TRUE AND CORRECT COPY

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24 CITY CLERK OF THE CITY OF LONG BEACH

25 BY 

26 DATE: JAN 18 2001

27 MJM:kjm

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#00-04117

ORDINANCE NO. C-7726

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY ADDING SUBSECTION 6 TO
SECTION 21.25.502.A AND SUBSECTION E TO SECTION
21.25.1311 RELATING TO ZONING REGULATIONS

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

Section 1. Section 21.25.502.A of the Long Beach Municipal Code is
amended by adding Subsection 6 to read as follows:

6. Project on City Land in the Coastal Zone. All projects involving
five hundred (500) square feet or more of land or water area, except roadway
and utility maintenance or improvement.

Sec. 2. Section 21.25.1311 of the Long Beach Municipal Code is amended
by adding Subsection E to read as follows:

E. For housing located in the coastal zone, a request for reasonable
accommodation under this Section shall be approved by the City if it is
consistent with Subsections A through D above, and the certified Local
Coastal Program. Where a request for reasonable accommodation is not
consistent with the certified Local Coastal Program, the City may waive
compliance with an otherwise applicable provision of the Local Coastal
Program and approve the request for reasonable accommodation if the City
finds:

1. The requested reasonable accommodation is consistent, to the
maximum extent feasible, with the certified Local Coastal Program; and,

2. There are no feasible alternative means for providing an accommodation at the property that would provide greater consistency with the certified Local Coastal Program.

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

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of January 2, 2001, by the following vote:

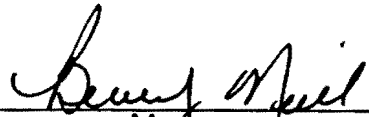
Ayes: Councilmembers: Baker, Colonna, Carroll, Kell,
Richardson-Batts, Grabinski, Webb,
Shultz.

Noes: Councilmembers: None.

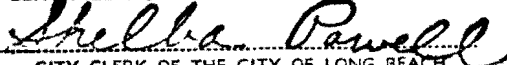
Absent: Councilmembers: None.


City Clerk

Approved: 1-8-01


Mayor

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH

By 
DATE: JAN 18 2001

MJM:KJM 10/20/00

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