ORDINANCE NO. ORD-22-0012

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY ADDING SECTION 21.15.2487, AND
BY AMENDING SUBSECTION 21.25.903.B, AND
SUBSECTION 21.25.904.C, RELATING TO SHORT-TERM
RENTALS INCORPORATING MODIFICATIONS BY THE
COASTAL COMMISSION

WHEREAS, on June 23, 2020, the Long Beach City Council approved
Ordinance No. ORD-20-0024 adding Chapter 5.77 to Title 5 of the Municipal Code, related
to the regulation of short-term rentals (STRs); and

WHEREAS, on December 15, 2020, the Long Beach City Council approved
Ordinance No. ORD-20-0045 amending Chapter 5.77 to Title 5 of the Municipal Code, to
allow un-hosted STRs. The Ordinance was submitted as a Local Coastal Program
Amendment (LCPA) to the California Coastal Commission (Coastal Commission) on
September 4, 2020 for certification, with a supplemental submittal of ORD-20-0045 on
December 30, 2020; and

WHEREAS, On December 15, 2021, the Coastal Commission held a public
hearing for the LCPA (LCP-5-LOB-20-0058-3). The Coastal Commission recommended
certification of the LCPA with four (4) modifications pertaining to the regulation and number
of STRs in the coastal zone. In addition, the suggested modifications require text revisions
to Title 21 of the Municipal Code, Zoning Regulations, to add a definition of STRs, and
required findings for approval of a Local Coastal Development Permit (LCDP) to restrict
STRs in the coastal zone; and

WHEREAS, in accordance with the 1976 California Coastal Act, the City of
Long Beach has a certified Local Coastal Program which consists of the Land Use Plan
and Implementation Plan. The Implementation Plan includes the zoning code, the zoning map, and subdivision code. Therefore, modifications to the Zoning Ordinance, a part of Implementation Plan, must be certified by the California Coastal Commission; and

WHEREAS, in order for the Local Coastal Program Amendment to be certified by the California Coastal Commission, the City Council is taking action to accept the modifications by this ordinance;

NOW, THEREFORE, the City Council of the City of Long Beach ordains as follows:

Section 1. Section 21.15.2487 of the Long Beach Municipal Code is hereby added to read as follows:

21.15.2487 Short-term rental.

"Short-term rental" means a residential dwelling unit, or portion thereof, that is offered or provided to a paying guest(s) by a short-term rental operator for thirty (30) or fewer consecutive nights. The term "short-term rental" shall not include hotels, motels, inns, or bed and breakfast inns.

Section 2. Section 21.25.903.B of the Long Beach Municipal Code is amended to read as follows:

B. Coastal Permits Issued by the City. The following categories of projects require coastal permits in accordance with the procedures set forth in this Division:

1. Development on the first lot located on, adjacent to, across the street from, or abutting the beach, bay, ocean or tidelands, except minor additions to a single-family residence as specified in Subsection 21.25.903.C (categorical exclusion).

2. All development projects which require additional discretionary review (such as a conditional use permit, subdivision map or standards variance).
3. Traffic improvements which do not qualify for categorical exclusion.

4. Public works projects, excluding traffic improvement projects, with an estimated cost of fifty thousand dollars ($50,000.00) or more.

5. Any extension of an existing facility into tidelands, environmentally sensitive areas, coastal waterways, public parkland, or within fifty (50) feet of a coastal bluff edge.

6. Any application for the restriction of short-term rentals pursuant to the provisions and procedures outlined in Chapter 5.77 (Short-Term Rentals) in the certified LCP.

Section 3. Section 21.25.904.C of the Long Beach Municipal Code is amended to read as follows:

C. Findings Required. Prior to approving a local coastal development permit, the responsible hearing body must find:

1. The proposed development conforms to the certified local coastal program, including but not limited to all requirements for replacement of low- and moderate-income housing; and

2. The proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. This second finding applies only to development located seaward of the nearest public highway to the shoreline.

3. For an application for a religious assembly use, if an exception or waiver of LCP requirements is sought under Section 21.52.219.8.G, that the exception or waiver allows the minimum deviation from LCP requirements necessary to comply with RLUIPA, and that the decisionmaker has imposed all conditions necessary to comply with all...
provisions of the LCP, with the exception of the provision(s) for which implementation would violate RLUIPA.

4. The proposed development is sited, designed and managed to minimize the transport of pollutants by runoff into coastal waters and groundwater, and to minimize increases in runoff volume and velocity from the site which may adversely impact coastal resources or coastal bluff stability. Best Management Practices shall be implemented, as applicable, including but not limited to applicable local, regional, state and federal water quality permits, standards and guidance provided in the LCP, best practices and other measures as may be recommended by the City Engineer.

5. For an application to restrict short-term rentals in accordance with the provisions and procedures outlined in Chapter 5.77 (Short-Term Rentals) of the certified LCP, the project shall conform with the certified local coastal program, including with the provisions relating to coastal access and recreation. The required findings must include a cumulative impacts analysis informed, at least in part, by monitoring data collected on approved projects that restrict STRs and on STRs throughout the coastal zone. The responsible hearing body shall also find:

i. The proposed restriction would not result in the substantial loss of visitor-serving accommodations (i.e. a reduction in available overnight accommodation rooms, including but not limited to short-term rentals, hotels, and/or motels, within ¼ mile of visitor-serving recreational uses, the beach, bay, ocean, or tidelands).

ii. The proposed restriction would not result in the loss of lower-cost overnight accommodations. Lower-cost overnight accommodations shall be defined as those charging
approximately twenty five percent (25%) less than the statewide average daily room rate or less.

iii. The proposed restriction would not result in the net loss of short-term rentals below four hundred twenty-five (425) short-term rental units (both hosted and un-hosted and/or primary or non-primary) historically occurring in the coastal zone.

iv. The proposed restriction would be necessary to protect the neighborhood stability, housing access, and would be consistent with the neighborhood character established in the Local Coastal Program (LCP).

Section 4. 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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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of March 15, 2022, by the following vote:

Ayes: Councilmembers: Zendjeas, Allen, Price, Supernaw, Saro, Austin, Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: Mungo, Uranga.

Recusal(s): Councilmembers: None.

Approved: 3/16/22 (Date)

Mayor
AFFIDAVIT OF POSTING

STATE OF CALIFORNIA  ) ss
COUNTY OF LOS ANGELES    )
CITY OF LONG BEACH    )

Tamela Austin being duly sworn says: That I am employed in the Office of the City Clerk of the City of Long Beach; that on the 16th day of March, 2022, I posted three true and correct copies of ORD-22-0012 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the lobby of Civic Chambers; one of said copies in the Main Library; and one of said copies on the front counter of the Office of the City Clerk.

[Signature]

Subscribed and sworn to before me
This 16th day of March 2022.

[Signature]
CITY CLERK