



City of Long Beach
Working Together to Serve

Office of Gerrie Schipske
Councilwoman, Fifth District
Memorandum

NB-24
Revised

Date: July 17, 2007

To: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

From: Councilwoman Gerrie Schipske, Fifth District *g schipske*

Subject: AGENDA ITEM: Amending Long Beach Municipal Code to Allow Residential Canopies in Rear Yards

DISCUSSION

Current Municipal Code 9.65.050 prohibits the use of canopies in residential backyards in excess of 72-hours.

Due to the heat in the summer, many residents have purchased canopies to provide shade so they can enjoy the use of their backyards. Most of these canopies are not visible from the street. Recently, these residents have been 'reported' by other neighbors and have been noticed by the City for violation of current law.

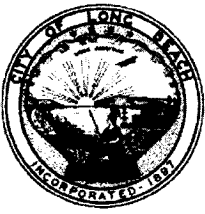
As of July 11, the internet listing of "Active Code Enforcement Cases" listed a total of 536 cases in the 5th District. 237 of those cases are related to canopies.

Active Code Enforcement Cases dealing with "canopy" problems in other Council District are: 8 cases in District #1; 9 cases in District #2; 2 cases in District #3; 125 cases in District #4; 18 cases in District #6; 62 cases in District #7; 7 cases in District #8; and 38 cases in District #9. (See <http://clbchdm05.ci.long-beach.ca.us:6555/IDMWeb/CLBTools/PB/Council.htm>)

RECOMMENDATIONS


Request City Attorney to amend the Long Beach Municipal Code to allow the use of canopies, provided the following guidelines are met:

- Collapsible canopies shall be restricted to the rear yard
- Collapsible canopies shall have a minimum setback of ~~five~~ *three* feet from the side and rear property lines
- Collapsible canopies shall not be visible from public and/or private streets
- Collapsible canopies shall be maintained in a manner that prevents the creation of any nuisance or otherwise detracts from the property value or residential character of the neighborhood
- Collapsible canopies shall be not greater than 10 feet in height as measured from the adjacent finished grade
- Collapsible canopies shall be constructed of flame retardant materials.



Date: July 17, 2007

To: Honorable Mayor and City Council

From: Councilwoman Gerrie Schipske, Fifth District 

Subject: Supporting Documentation for Agenda Item 24 – July 17, 2007

As supporting documentation for Agenda Item 24 on the July 17, 2007 Council Meeting, I have included for your review, the current Long Beach Municipal Code related to canopy structures. As you can see below current Long Beach Municipal Code allows for a canopy structure to be erected for not more than 72 hours. I've also included for your review the current definition of a canopy under Long Beach Municipal Code.

The proposed changes that I am seeking in the Long Beach Municipal Code related to canopy structures were taken from the City of Cerritos. For your review, I've included the section of the Cerritos Municipal Code related to canopy structures.

Long Beach Municipal Code 9.65.050 Prohibited canopy structure.

Canopy structures as defined in Section 9.65.020.A may be located only in the rear yard and shall be located not less than three feet from the side and rear property lines. Such structures may only be erected for temporary residential use not to exceed seventy-two (72) hours as permitted pursuant to Titles 18 and 21 of the Long Beach Municipal Code. These structures may not be located in front or side yard setback areas, or driveway areas used for automobile parking. (ORD-05-0001 § 2, 2005).

Long Beach Municipal Code 9.65.020 Definitions.

A. "Canopy structure" includes freestanding exterior shade structures that consist of a cover made from canvas, fabric, plastic, rubber, nylon, acetate or other pliable material that is fitted over a freestanding metal frame or a frame constructed from some other material, which is not entirely supported by an exterior wall of a building.

Cerritos Municipal Code 22.40.210 Pets and accessory residential uses.

- (g) Collapsible Canopies. In addition to the abovementioned requirements, the following shall apply:
- (i) Collapsible canopies shall be restricted to the rear yard;
 - (ii) Collapsible canopies shall have a minimum setback of five feet from the side and rear property lines;
 - (iii) Collapsible canopies shall not be visible from public and/or private streets;
 - (iv) Collapsible canopies shall be maintained in a manner that prevents the creation of any nuisance or otherwise detracts from the property value or residential character of the neighborhood;
 - (v) Collapsible canopies shall be not greater than ten feet in height as measured from the adjacent finished grade;