

ORDINANCE NO. ORD-20-0018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTIONS 21.21.201, TABLE 21-1, SUBSECTION 21.31.245.A.3, SUBSECTION 21.31.245.C.4, TABLE 31-1, TABLE 31-2A, TABLE 31-7, SECTION 21.32.110, SECTION 21.32.120, SECTION 21.32.130, SUBSECTION 21.32.225.A.1, SECTION 21.32.235, TABLE 32-1, TABLE 33-2, CHAPTER 21.37, AND TABLE 41-1C; BY ADDING SECTION 21.15.2395, SECTION 21.15.3005, TABLE 32-0, SECTION 21.45.151, AND SECTION 21.53.115; AND BY REPEALING TABLE 32-1A, ALL RELATED TO ZONING CODE REGULATIONS

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

Section 1. Section 21.21.201 of the Long Beach Municipal Code is amended to read as follows:

21.21.201 Application.

A. General. Any procedure provided for in this Title 21, including, but not limited to, amendment of the Zoning Regulations, change of a zoning district, issuance of conditional use permits, variances, administrative use permits, site plan review, classification of uses and density bonuses may be initiated by application of the owner of any real property in the City directly affected by the procedure, or his authorized agent. The Director of Development Services may request proof of ownership or authorization to apply prior to acceptance of any such application.

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B. Zoning and Zoning Regulations. An amendment to the Zoning Regulations and a change of zoning district may also be initiated by:

1. Direction by action of the City Council or the Planning Commission; or
2. Direction of the Director of Development Services with the consent of the Planning Commission.

C. Filing Fee. A filing fee shall accompany each application as required by Section 21.21.701.

D. Complete Application. No application shall be considered complete until applicable forms are filed, the required fee is paid, and additional information as required by the Director of Development Services, is received. The Director of Development Services shall determine when an application is complete, and the determination of the Director shall be final.

Section 2. Table 21-1 of Chapter 21.21 of the Long Beach Municipal Code is amended to read as follows:

Table 21-1

Discretionary Review Responsibilities

Type of Procedure	Responsible Hearing Body				Notice Required ^(d)
	SPRC	ZA	PC	CC	
Zoning regulations amendment:					
Initial hearing			X		Yes
Final decision				X	Yes
Zone change:					
Initial hearing			X		Yes
Final decision				X	Yes
Conditional use permit:					
Initial hearing			X		Yes
Appeal				X	Yes
Variance:					

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Type of Procedure	Responsible Hearing Body				Notice Required ^(d)
	SPRC	ZA	PC	CC	
Initial hearing		X	X ^(c)		Yes
Appeal			X	X ^(c)	Yes
Administrative use permit:					
Initial hearing		X	X ^(c)		Yes
Appeal			X	X ^(c)	Yes
Site plan review:					
Initial hearing	X		X ^(a)		No
Appeal			X	X ^(a)	No
Classification of uses:					
Initial hearing		X			No
Final decision			X		No
Establishment of planned development district:					
Initial hearing			X		Yes
Final decision				X	Yes
Applicability of use/development standard in planned development districts:					
Initial Hearing		X			
Appeal			X		
Special setback lines:					
Initial hearing			X		Yes
Final decision				X	Yes
Local coastal permit:					
Initial hearing		X	X ^(c)		Yes
Appeal ^(b)			X	X ^(c)	Yes
Bonus density (General Plan):					
Initial hearing			X		Yes
Appeal				X	Yes
Determination of applicable law:					
Initial hearing			X		Yes
Appeal				X	Yes
Interim park use permit:					
Initial hearing				X	Yes
Appeal				None	

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Type of Procedure	Responsible Hearing Body				Notice Required ^(d)
	SPRC	ZA	PC	CC	
Temporary Activating Use (TAU) permit:					
Initial hearing		X			
Appeal			X		
Establishment of specific plans:					
Initial hearing			X		Yes
Final decision				X	Yes
Applicability of use/development standards in specific plans					
Initial hearing		X			
Appeal			X		

Abbreviations: SPRC = Site Plan Review Committee; ZA = Zoning Administrator; PC = Planning Commission; CC = City Council

- (a) Planning Commission establishes types of projects subject to Planning Commission review. Such projects can be appealed to the City Council.
- (b) Also appealable to California Coastal Commission if the project site is located within the appealable area.
- (c) The Zoning Administrator may refer such application to the Planning Commission for consideration. In this case, the City Council shall serve as the appeal body.
- (d) See Section 21.21.302 (Noticing of hearings) for noticing requirements.

Section 3. Section 21.31.245.A.3 of the Long Beach Municipal Code is amended to read as follows:

3. Height. No garage shall exceed one-story and thirteen feet (13') in height. Mezzanines and lofts shall not be permitted. Attics for storage purposes shall be permitted, as "attic" is defined in Section 21.15.260.

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1 Section 4. Section 21.31.245.C.4 of the Long Beach Municipal Code is
 2 amended to read as follows:

3 4. Height. No detached accessory building shall exceed
 4 one-story and thirteen feet (13') in height. Mezzanines and lofts shall not be
 5 permitted. Attics for storage purposes shall be permitted, as "attic" is
 6 defined in Section 21.15.260.

8 Section 5. Table 31-1 of Chapter 21.31 of the Long Beach Municipal
 9 Code is amended by adding "Temporary Activating Use" to read as follows:

10 Table 31-1

11 Uses in Residential Zones

12 Residential Zone District Land Use	R- 1- S	R- 1- M	R- 1- L	R- 1- N	R- 1- T	R- 2- S	R- 2-1	R- 2- L	R- 2- N	R- 2- A	R- 3- S	R- 3- 4	R- 3- T	R- 4- R	R- 4- N	R-4- H(d)	R- 4- U	R- M	R- 4- M	RP
14 Temporary activating use (see Section 21.53.115)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T

17 Section 6. Table 31-2A Notes of Chapter 21.31 of the Long Beach
 18 Municipal Code is amended by adding item (t) to read as follows:

19 (t) A patio cover or canopy consisting of fabric, canvas, or similar
 20 durable, weatherproof material (and its supporting structure), may
 21 exceed the maximum building height when constructed above a roof
 22 deck, but shall be limited to a height of eight feet, six inches (8'-6")
 23 above the finish floor of the roof deck. The supporting structure shall
 24 be open on all sides. The patio cover or canopy shall not obstruct
 25 views of the beach, bay, ocean, or tidelands from any public vantage
 26 point or public area in the coastal zone or tidelands. A building permit
 27 shall be obtained, and the patio cover or canopy structure shall be
 28 permanently attached to the roof deck or building.

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Section 7. Table 31-7 Notes in Chapter 21.37 of the Long Beach

Municipal Code is amended to read as follows:

Table 31-7

Garages in R-3 and R-4 Zone Districts

Type of Garage	Setbacks (a,*):		Maximum Height
	Front/Side Street	Side/Rear(**)	
1. On grade	30' from street property line(s) and shall be screened by residential use from all street frontages	In the front half of the lot: no projections into the required yard. In the rear half of the lot: 5' from property line	Projecting into required yard area—13'. Outside of required yard area—same as principal structure
2. Semi-subterranean	Required yard area***	Same as on-grade garage	Not to exceed 4' above grade***
3. Subterranean	None	None	Below grade

(a) For developments of 1 or 2 units on a lot, refer to Subsection 21.31.245.A.

* For 3 or more units, no vehicle shall be permitted to back into the street.

** Along the interior property lines, a minimum of a 5-foot landscape buffer shall be provided in accordance with Section 21.42.040 (landscaping standards).

*** Through a site plan review process, the maximum height of semi-subterranean garages may be increased.

Section 8. Section 21.32.110 of the Long Beach Municipal Code is

amended to read as follows:

21.32.110 Permitted uses.

The principal use in all commercial districts shall be commercial, although some districts are intended for mixed commercial and residential uses. Tables 32-0 and 32-1 indicate the classes of uses permitted (Y), not permitted (N), permitted as a conditional use (C), permitted as an administrative use (AP), permitted as an accessory use (A), and permitted as

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a temporary use (T) in all districts. An asterisk (*) indicates that a use is permitted subject to specific development standards outlined in Chapter 21.45 (Special Development Standards) of this Title.

Section 9. Section 21.32.120 of the Long Beach Municipal Code is amended to read as follows:

21.32.120 Prohibited uses.

Any use not specifically permitted by Section 21.32.110, Tables 32-0 and 32-1, shall be prohibited, and no commercial uses shall be allowed outside of a building unless indicated as an outdoor use in Tables 32-0 and 32-1.

Section 10. Section 21.32.130 of the Long Beach Municipal Code is amended to read as follows:

21.32.130 Transition between defunct and new commercial zones.

Table 32-1 contains commercial zones adopted by the City Council on October 20, 1992. It is the intent of the City, within a specified period of time, to rezone all commercial properties to the zones in Table 32-1. During the "transitional period," all uses listed in Table 32-1, either permitted by right (Y), by a conditional use permit (C), by an administrative use permit (AP), as an accessory use (A), or as a temporary use (T) shall be permitted in the same manner for properties located in the CO, CH and CT Zones. Uses in the extant areas of CO, CH, and CT zoning on the Zoning Map shall be the same as those permitted in the equivalent zoning districts specified in Table 32-0. For development standards, remaining properties zoned CO, CH, and CT shall be regulated according to Tables 32-2A and 32-3A, and all other applicable provisions of this Title.

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Section 11. Section 21.32.225.A.1 of the Long Beach Municipal Code is amended to read as follows:

1. Open Storage. Open storage shall be prohibited. Certain merchandise is permitted to be displayed outdoors for sale or rent as indicated in Tables 32-0 and 32-1.

Section 12. Section 21.32.235 of the Long Beach Municipal Code is amended to read as follows:

21.32.235 Residential uses in commercial districts.

All residential development in commercial districts shall comply with the density and development standards indicated in Tables 32-3 and 32-3A. Residential uses shall be permitted in commercial districts as indicated in Tables 32-0 and 32-1.

Section 13. Table 32-1 in Chapter 21.32 of the Long Beach Municipal Code is amended to add "Publicly run post-secondary school" under "Public and Semi-Public Institutional" use, to read as follows:

Table 32-1
 Uses in All Other Commercial Zoning Districts

Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Publicly run post-secondary school	Y	Y	Y	Y	Y	Y	Y	Y	Y	Special standards apply (see 21.45.151)

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1 Section 14. Table 32-1 in Chapter 21.32 of the Long Beach Municipal
 2 Code is amended to add "Temporary Activating Use" under "Temporary Uses," to read as
 3 follows:

4 Table 32-1

5 Uses in All Other Commercial Zoning Districts

6 Uses	7 Neighborhood			8 Community			9 Regional		10 Other	11 Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
12 Temporary Activating Uses	T	T	T	T	T	T	T	T	T	13 See Section 21.53.115

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Section 15. Table 33-2, Uses in Industrial Districts, under "4. Manufacturing," in Chapter 21.33 of the Long Beach Municipal Code is amended to read as follows:

Table 33-2

Uses In Industrial Districts

Use	IL	IM	IG	IP	*Notes and Exceptions
4. Manufacturing					a. Prohibited in IL, IM, and IP, and requires conditional use permit in IG: <ul style="list-style-type: none"> • 261 (Pulp Mills) • 262 (Paper Mills) • 263 (Paperboard Mills) • 281 (Industrial Inorganic Chemicals) • 282 (Plastics Materials) • 285 (Paints, Varnishes) • 286 (Industrial Organic Chemicals) • 287 (Agricultural Chemicals) • 2892 (Explosives) • 291 (Petroleum Refining) • 311 (Leather Tanning and Finishing) • 324 (Hydraulic Cement) • 325 (Structural Clay Products) • 327 (Concrete, Gypsum, and Plaster Products) • 3292 (Asbestos Products) • 348 (Ordinance and Accessories) b. Certain oil and gas extraction and processing are exempt from zoning regulations as provided for in Subsection 21.10.030.B, and are controlled by Title 12 of the Municipal Code.
4.1 SIC codes 23, 27, 283, 284, 31*, 36, 38, 39	Y	Y	Y	See Item 10 in this table.	
4.2 SIC codes 25, 26*, 30	Y/C	Y/C	Y		
4.3 SIC codes 22, 24, 289*, 32*, 34*, 35	N	C	Y/C		
4.4 SIC codes 21, 29*, 33, 492*, 4932*	N	N	C		
4.5 SIC code 37 – within enclosed structures only	Y	Y	Y		
4.6 SIC code 37 – with outdoor storage or operations	C	C	Y/C		

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Section 16. Table 33-2, Uses in Industrial Districts, under "6. Wholesale Trade," in Chapter 21.33 of the Long Beach Municipal Code is amended to read as follows:

Table 33-2

Uses In Industrial Districts

Use	IL	IM	IG	IP	*Notes and Exceptions
6. Wholesale Trade (SIC codes 50*, 51*, 422*)	Y	Y	Y	See Item 10 in this table.	a. Exceptions as specified in item 6.1 of this table. b. General Warehousing and Storage under SIC code 4225 is permitted (does not include personal storage or commercial storage/self-storage, including recreational vehicle, and/or miniwarehouse, as defined by Section 21.15.570). Prohibited in IL, IM, and IP, and requires a conditional use permit in IG: <ul style="list-style-type: none"> • 5015 (motor vehicle parts, used) • 5093 (scrap and waste materials, including retail sales) • 5154 (livestock sales)
6.1 Personal storage, and commercial storage/self-storage, including recreational vehicle, and/or miniwarehouse, as defined by Section 21.15.570 (SIC code 4225*)	N	N	C	N	a. Does not include General Warehousing and Storage under SIC code 4225.

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Section 17. Table 33-2, Uses in Industrial Districts, in Chapter 21.33 of the Long Beach Municipal Code is amended to add "16. Temporary Activating Use" to read as follows:

Uses in Industrial Districts					
	IL	IM	IG	IP	*Notes and Exceptions
16. Temporary Activating Use	T	T	T	T	See Section 21.53.115

Section 18. Chapter 21.37 of the Long Beach Municipal Code is amended to read as follows:

CHAPTER 21.37
PLANNED DEVELOPMENT DISTRICTS AND SPECIFIC PLANS

Division I – Planned Development Districts

21.37.110 Purpose.

The Planned Development (PD) District is established to allow flexible development plans to be prepared for areas of the City which may benefit from the formal recognition of unique or special land uses and the establishment of special design policies and standards not otherwise possible under conventional zoning district regulations. Purposes of the planned development district include permitting a compatible mix of land uses, allowing for planned commercial areas and business parks, and encouraging a variety of housing styles and densities.

21.37.120 Districts established.

On and after September 1, 1988, all planned development districts shall be indicated by the PD designation, a number and a common name. Planned development districts are as follows:

- 1 1. PD-1—Southeast Area Development and Improvement Plan
- 2 (SEADIP) (repealed) (superseded by Southeast Area Specific
- 3 Plan SP-2) (See Section 21.37.210).
- 4 2. PD-2—Belmont Pier
- 5 3. PD-3—Reserved
- 6 4. PD-4—Long Beach Marina
- 7 5. PD-5—Ocean Boulevard
- 8 6. PD-6—Downtown Shoreline
- 9 7. PD-7—Long Beach Business Center
- 10 8. PD-8—Reserved
- 11 9. PD-9—Long Beach Airport Business Park
- 12 10. PD-10—Willmore City
- 13 11. PD-11—Rancho Estates
- 14 12. PD-12—Long Beach Airport Terminal
- 15 13. PD-13—Atlantic Aviation Center
- 16 14. PD-14—Reserved
- 17 15. PD-15—Redondo Avenue
- 18 16. PD-16—Reserved
- 19 17. PD-17—Alamitos Land
- 20 18. PD-18—Kilroy Airport Center
- 21 19. PD-19—Douglas Aircraft
- 22 20. PD-20—All Souls
- 23 21. PD-21—Queensway Bay
- 24 22. PD-22—Pacific Railway
- 25 23. PD-23—Douglas Center
- 26 24. PD-24—Reserved
- 27 25. PD-25—Atlantic Avenue
- 28 26. PD-26—West Long Beach Business Park

- 1 27. PD-27—Willow Street Center
- 2 28. PD-28—Pacific Theaters
- 3 29. PD-29—Long Beach Boulevard (repealed) (superseded by
- 4 Midtown Specific Plan (SP-1))
- 5 30. PD-30—Downtown Long Beach
- 6 31. PD-31—California State University and Technology
- 7 Center/Villages at Cabrillo Long Beach Vets
- 8 32. PD-32 (PD-32 North and PD-32 South)—Douglas Park

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10 21.37.130 Qualifying standards.

11 In order to qualify for the planned development district classification,
12 a property must contain not less than five (5) acres in size and must be a full
13 block face surrounded on all sides by public right-of-way. In any event, the
14 property must have direct access to a public street.

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16 21.37.140 Establishment procedures.

17 A planned development district classification shall be established in
18 accordance with the administrative procedures contained in Division VII of
19 Chapter 21.25 (Specific Procedures). Among other things, these
20 procedures call for preparation and adoption of a use and development
21 standards plan.

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23 21.37.150 Development standards.

24 The development standards and design guidelines for a Planned
25 Development District shall be those adopted by the City Council in the
26 ordinance for each PD zone. Whenever a PD zone is silent or does not
27 contain any particular development standard (such as landscaping, parking
28 configuration, or permitted projections into required yard areas), then the

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Zoning Administrator shall determine the development standard that shall apply, taking into consideration which development standard is closest to the overall intent of the PD.

21.37.160 Site plan review.

Site plan review is required for all development proposals within PD districts pursuant to Division V of Chapter 21.25 (Specific Procedures) of this Title. The Site Plan Review Committee shall refer to the Planning Commission all planned development district project applications which vary from the general or specific use and development standards but which are consistent with the intent of the particular planned development district.

21.37.170 Alcoholic beverage sales uses.

On-premises and off-premises alcoholic beverage sales uses in planned development districts shall be permitted only as conditional uses unless such uses are specifically exempted from the conditional use permit process by a particular planned development district ordinance.

21.37.180 Use regulations—amendments to Title 21.

When this Title is amended to add or change regulations for a specific land use in the Residential Districts (Ch. 21.31), Commercial Districts (Ch. 21.32), Industrial Districts (Ch. 21.32), Institutional District (Ch. 21.34), and Park District (Ch. 21.35), the Zoning Administrator may determine that the same use regulations apply to all or certain Planned Development Districts (or subareas thereof), if the following conditions are met:

- A. The use is not directly or explicitly regulated by the existing PD use regulations;

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B. The use is consistent in nature with the categories, types and characteristics of uses permitted in the PD (or subareas thereof), and will not introduce a new use that will cause substantial adverse effects upon the community; and

C. The use is not in conflict with the goals or intent of the PD. Such determination shall be made in writing and shall be appended to the affected PD(s), as appropriate.

Division II – Specific Plans

21.37.200 Purpose.

As set forth in Government Code sections 65450 through 65458, the specific plan provides a means to establish more specific land use regulations and design standards for properties and areas requiring special attention or treatment. A specific plan serves as a policy and regulatory document, with policy direction and project development concepts consistent with the General Plan.

21.37.210 Specific Plans established.

On and after May 1, 2016, all specific plans shall be indicated by the SP designation, a number and a common name. Specific plans are as follows:

- 1. SP-1—Midtown
- 2. SP-2—Southeast Area

21.37.220 Establishment procedures.

A specific plan shall be established in accordance with the administrative procedures contained in Division I of Chapter 21.25 (Specific Procedures—Zone Changes and Zoning Regulation Amendments).

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21.37.230 Development standards.

The development standards and design guidelines for a Specific Plan shall be those adopted by the City Council in the ordinance for each SP. Whenever a SP is silent or does not contain any particular development standard (such as landscaping, parking configuration, or permitted projections into required yard areas), then the Zoning Administrator shall determine the development standard that shall apply, taking into consideration which development standard is closest to the overall intent of the Specific Plan.

21.37.240 Use regulations—amendments to Title 21.

When this Title is amended to add or change regulations for a specific land use in the Residential Districts (Ch. 21.31), Commercial Districts (Ch. 21.32), Industrial Districts (Ch. 21.32), Institutional District (Ch. 21.34), and Park District (Ch. 21.35), the Zoning Administrator may determine that the same use regulations apply to all or certain Specific Plans (or subareas or districts thereof), if the following conditions are met:

- A. The use is not directly or explicitly regulated by the existing SP use regulations;
 - B. The use is consistent in nature with the categories, types and characteristics of uses permitted in the SP (or subareas or districts thereof), and will not introduce a new use that will cause substantial adverse effects upon the community; and
 - C. The use is not in conflict with the goals or intent of the SP.
- Such determination shall be made in writing and shall be appended to the affected SP(s), as appropriate.

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Section 19. Table 41-C, under Public Assembly, in Chapter 21.41 of the Long Beach Municipal Code is amended to read as follows:

Table 41-1C

Commercial, Industrial/Manufacturing and All Other Uses

Use	Required Number of Spaces
Public Assembly	
1. Assembly hall, religious assembly, movie theater or other public assembly area with fixed seats	For assembly uses, 1 per every 3.3 fixed seats. For theaters, 1 per every 3.3 fixed seats, plus a passenger loading and unloading zone (if the fixed seat portion of the use is not 75% or greater, separate parking ratios shall be applied for accessory uses)
2. Meeting hall, banquet hall, religious assembly, or other public assembly area without fixed seats	20 per 1,000 GFA (if the assembly area is not 75% or greater, separate parking ratios shall be applied for accessory uses)
3. Elementary school, secondary school and day-care center	For elementary schools, 2 per classroom, plus 2 loading and unloading spaces and auditorium or stadium calculated separately. For high schools, 7 per classroom, plus auditorium or stadium calculated separately. For daycare, 1 space per every 10 children, plus 2 loading and unloading spaces.
4. Publicly run post-secondary school	See 21.45.151 (applies to change of use only)
5. Hotel (guestrooms with direct access from an interior hallway) and motel (guestrooms with direct access to the exterior)	For hotel, 1 per guestroom, plus parking figured separately for banquet rooms, meeting rooms, restaurant and gift shops, plus 2 loading and unloading spaces. For motel, same as hotel, plus 2 parking spaces for the motel managers unit
6. Hospitals, convalescent hospitals	For hospitals, 2 spaces per bed. For convalescent hospitals, 1 per every 3 beds
7. Library, museum	4 per 1,000 GFA, plus 1 bus parking stall for each 5,000 sq. ft. open to public; plus passenger loading and unloading area shall be provided
8. Trade or vocational school	20 per 1,000 GFA or 1 per 3.3 fixed seats, whichever is greater

1 Section 20. The Long Beach Municipal Code is amended by adding
2 Section 21.15.2395 to read as follows:

3 21.15.2395 School, publicly run post-secondary.

4 A public post-secondary educational institution such as a university,
5 community college, or trade school accredited by the State Board of
6 Education that is publicly funded and operated by a public agency to give
7 general academic instruction.

8
9 Section 21. The Long Beach Municipal Code is amended by adding
10 Section 21.15.3005 to read as follows:

11 21.15.3005 Temporary activating uses.

12 “Temporary activating uses” are intended to provide a community
13 benefit, encourage street activation, and reduce visual blight associated with
14 vacant lots, as defined in Chapter 18.29, on a temporary basis and can
15 include sporadic special events, such as cultural and community events, or
16 temporary retail or services uses, such as bike kitchens. Temporary
17 activating uses are proposed by community-based public or private
18 organizations that improve and enhance the social or economic welfare and
19 quality of life of the residents of Long Beach, and provide a service to City
20 residents, including, but not limited to, faith-based organizations, local non-
21 profit organizations or associations, Business Improvement Districts (BIDs),
22 and organizations that have entered into a contract or agreement with the
23 City to provide specific services or outreach, as determined by the Zoning
24 Administrator.

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Section 22. The Long Beach Municipal Code is amended by adding Table 32-0 to Chapter 21.32, following Section 21.32.130, to read as follows:

Table 32-0
CO, CH, and CT Uses in other Commercial Districts

Existing Zoning District Uses	New Zoning District Use Equivalents	Notes
CO	CNN	
CH	CHW	
CT	N/A	As of the date of adoption of this table, no areas of CT zoning are extant on the Zoning Map, and no equivalent zoning district is established in this Title.

Section 23. The Long Beach Municipal Code is amended by adding Section 21.45.151 to read as follows:

21.45.151 Publicly run post-secondary school.

A. Purpose. In recognition of the benefits imparted by publicly run post-secondary schools in the City and consistent with the Long Beach College Promise, of which the City is a partner, the City seeks to expand access to post-secondary education.

B. Development Standards. The following special development standards shall apply to changes of use to establish publicly run post-secondary schools that operate as satellite spaces offering instruction and support functions:

1. Parking. Parking requirements for a change of use to establish a publicly run post-secondary school proposed within one-half (1/2) mile of public transit shall be waived.

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1 Section 24. The Long Beach Municipal Code is amended by adding
2 Section 21.53.115 to read as follows:

3 21.53.115 Temporary activating uses.

4 A. Purpose. The purpose of this Section is to allow community-
5 serving temporary uses on vacant lots. Such uses are intended to provide a
6 community benefit, encourage street activation, and reduce visual blight
7 associated with vacant lots, as defined in Chapter 18.29, on a temporary
8 basis and can include sporadic special events, such as cultural and
9 community events, or temporary retail or services uses, such as bike
10 kitchens. Temporary activating uses are proposed by community based
11 public or private organizations that improve and enhance the social or
12 economic welfare and quality of life of the residents of Long Beach and
13 provide a service to City residents including, but not limited to, faith-based
14 organizations, local non-profit organizations or associations, Business
15 Improvement Districts (BIDs), and organizations which have entered into a
16 contract or agreement with the City to provide specific services or outreach,
17 as determined by the Zoning Administrator.

18 B. Use Regulations. Notwithstanding Sections 21.53.109 and
19 21.53.113, all temporary activating uses shall be permitted upon written
20 approval of the Zoning Administrator and are subject to the following
21 standards and findings:

22 1. No temporary activating use shall be allowed which
23 would not otherwise be allowed in the applicable zoning district or the
24 General Plan designation, unless the Zoning Administrator determines that
25 the use is compatible with existing surrounding uses.

26 a. Temporary activating uses proposed in
27 residential zones shall be allowed along Neighborhood Connector and more
28 intense arterial streets, as defined in the Mobility Element.

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2. The applicant is a community-based public or private organization or association serving the residents of the City as described in this Section, as determined by the Zoning Administrator.

3. A temporary activating use is subject to compliance with Americans with Disabilities Act (ADA) requirements per the Building Code.

4. Vacant lots used for temporary activating uses shall be maintained free of weeds, dry brush, dead vegetation, trash, garbage, junk, debris, building materials, vehicles, cars, boats, campers, any accumulation of newspapers, circulars, flyers, notices (except those required by federal, state or local law), discarded personal items, including but not limited to, furniture, clothing, large and small appliances, graffiti, tagging or similar markings. The property owner or other responsible person must inspect the property at reasonable intervals or take other reasonable steps to ensure that there is no dead or dying vegetation, litter, weeds, graffiti, debris or materials accumulating on the property.

5. Temporary activating uses that are sporadic special events shall be permitted for a period of up to six (6) months at the discretion of the Zoning Administrator. These types of uses are eligible for up two additional six-month renewal periods not to exceed a maximum of eighteen (18) months for the same use. Conditions may be modified by the Zoning Administrator during the renewal process, as necessary, to ensure compatibility with the surrounding area.

6. Other temporary activating uses that do not fall under the category of sporadic special events shall be permitted for a period of up to one year at the discretion of the Zoning Administrator. These types of uses may be renewed for up to two (2) additional one-year periods not to exceed a maximum of three (3) years for the same use. Conditions may be

1 modified by the Zoning Administrator during the renewal process, as
2 necessary, to ensure compatibility with the surrounding area.

3 7. Projects may be granted relief from development
4 standards for temporary activating uses by the Zoning Administrator if
5 positive findings can be made for the following:

6 a. The use shall further the goals of the general
7 plan, provide a community benefit, activate the street, and reduce visual
8 blight associated with vacant lots;

9 b. The use shall not cause substantial adverse
10 impacts upon the surrounding area including public health, safety and
11 general welfare;

12 c. The use shall be compatible with the
13 surrounding area.

14 8. The fee for temporary activating use permits shall be
15 the fee charged for Administrative Land Use Review (ALUR) permits. Each
16 renewal application for a temporary activating use is subject to the same
17 fee.

18 9. The Zoning Administrator shall have the authority to
19 revoke or refuse to approve or renew a temporary activating use permit if
20 the Zoning Administrator determines that there has been a violation of the
21 terms or conditions of the approval or evidence of negative impacts on the
22 surrounding area. The Zoning Administrator's action may be appealed to
23 the Planning Commission.

24
25 Section 25. The Long Beach Municipal Code is amended by repealing
26 Table 32-1A of Chapter 21.32.

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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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Section 26. 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.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of May 19, 2020, by the following vote:

Ayes: Councilmembers: Zendejas, Pearce, Price,
Supernaw, Mungo, Andrews,
Uranga, Austin, Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Recusal(s): Councilmembers: None.

M. De G. Gage
City Clerk

Approved: 5-22
(Date)

[Signature]
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 21st day of May, 2020, I posted three true and correct copies of ORD-20-0018 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.

Tamela Austin

Subscribed and sworn to before me
This 21st day of May 2020.

M. De J. Gray
CITY CLERK