

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTION 21.21.302  
RELATING TO NOTICING REQUIREMENTS FOR  
HEARINGS

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

Section 1. Section 21.21.302 of the Long Beach Municipal Code is amended to read as follows:

21.21.302 Noticing requirements for hearings.

A. General. Notice shall be given for all hearings requiring notice as set forth in Table 21-1 not less than fourteen (14) days nor more than forty-five (45) days prior to the hearing. In addition to the notice required by this sSection, the cityCity may give notice of the hearing in any other manner it deems necessary or desirable, but, in any event, notice shall be given by the means set forth in this sSection.

B. For Noticing of Zone Changes and Other Specified Procedures. For noticing of a zone change, conditional use permit, standards variance, administrative use permit, planned development district, local coastal permit, special setback lines, density bonus, or any other planning or zoning ~~matter~~ manner not otherwise specifically provided for herein:

1. Owners and Occupants~~Property Owners~~. Notice of hearing shall be mailed or delivered to the owner of the subject real property or to the owner's duly authorized agent. One (1) notice of hearing shall also be mailed or delivered to each tenant household or to each commercial tenant as applicable, of the subject real property;

OFFICE OF THE CITY ATTORNEY  
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333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664



1 the leasehold interests on those properties. Notices sent to leaseholders shall count in  
2 determination of the twenty (20)-notice minimum.

3 \_\_\_\_\_ (4) In lieu of utilizing the assessment roll, the cityCity may  
4 utilize records of the county assessor or tax collector which contain more recent  
5 information than the assessment roll. In no event shall less than a minimum of twenty  
6 (20) nearest property owners, or owners and leaseholders as specified above, be  
7 notified.

8 ~~(2)~~ (5) Notice of the hearing shall also be mailed or delivered  
9 to resident managers of any multifamily residential rental units where the property  
10 owner is not an on-site occupant when the fact of non-occupancy is known to the  
11 person charged with the responsibility of mailing or delivering notice.

12 ~~(3)~~ (6) Measurement of the ~~three hundred (300')~~ or five  
13 ~~hundred foot (500')~~ distance for notification pursuant to this sSubsection shall begin at  
14 the property boundary of the real property that is the subject of the hearing. the far side  
15 ~~of any abutting public property or public right-of-way including, but not limited to, parks,~~  
16 ~~playgrounds, beaches, canals, flood control channels, roads, highways and alleys.~~  
17 ~~However, the extent of notification need not exceed one thousand feet (1,000'),~~  
18 ~~regardless of the width of the abutting public property.~~

19 \_\_\_\_\_ b. In a cityCity-initiated zoning remapping program, if the  
20 number of owners to whom notice would be mailed or delivered pursuant to this  
21 sSubsection is greater than one thousand (1,000), the cityCity, in lieu of mailed or  
22 delivered notice, may provide notice by placing a display advertisement of at least one-  
23 eighth page in at least one newspaper of general circulation within the local agency in  
24 which the proceeding is conducted at least ten (10) and not more than forty-five (45)  
25 days prior to the hearing; and

26 5. Posting.

27 a. Notice of the hearing shall be posted at least fourteen  
28 (14) days prior to the hearing in at least three public places within the boundaries of the

1 cityCity, including one public place in the area, if any, most directly affected by the  
2 proceedings. In addition, the applicant or owner of the real property which is the  
3 subject of the hearing shall post a sign of at least thirty inches (30") by forty inches (40")  
4 on each street face of the real property that is the subject of the hearing, the content of  
5 which sign shall be subject to the prior approval of Development Services staff.

6 b. Building height variance applicants shall erect story poles  
7 which accurately represent the full extent of the proposed structure to the satisfaction of  
8 the dDirector of dDevelopment sServices, including decks and eaves, at least fourteen  
9 (14) calendar days prior to the first public hearing and remain in place through the end  
10 of the appeal period.

11 6. Noticing of Actions in the Coastal Zone. Additionally, when  
12 notice is required to be given for any matter in the coastal zone, in addition to any and  
13 all other notices required by this sSubsection, notice shall be mailed to the California  
14 Coastal Commission and to all persons requesting notice for the individual matter or for  
15 all coastal zone hearings, and to all residents within one hundred feet (100') of the site.

16 C. For noticing of a zoning ordinance amendment:

17 1. Publishing Advertisement. Notice of the hearing shall be  
18 published pursuant to Section 6061 of the California Government Code in at least one  
19 newspaper of general circulation within the cityCity;

20 2. Posting. Notice of the hearing shall be posted at least fourteen  
21 (14) days prior to the hearing in at least three public places within the boundaries of the  
22 cityCity, including one (1) public place in the area, if any, most directly affected by the  
23 proceeding; and

24 3. Mailing. Notice of the hearing shall be mailed, together with all  
25 proposed changes, additions, modifications or deletions to all cityCity libraries and to  
26 anyone requesting such notice.

27 4. Amendments in the Coastal Zone. For any matter in the coastal  
28 zone, in addition to any and all other notices required by this sSubsection, notice shall

1 be mailed to the California Coastal Commission and to all persons requesting notice for  
2 the individual matter or for all coastal zone hearings, and to all residents within one  
3 hundred feet (100') of the site.

4 D. For ~~n~~Noticing of ~~A~~ppeals:

5 1. Responsibility for Noticing. A notice of the public hearing on the  
6 appeal shall be mailed by the ~~d~~Department of ~~planning and building~~ Development  
7 Services for appeals to the ~~city~~ City ~~p~~lanning ~~e~~Commission, and by the ~~e~~City ~~e~~Clerk for  
8 appeals to the ~~e~~City ~~e~~Council.

9 The notice shall contain the same information as the original notice except  
10 that it shall also give the appellant's name and state that the hearing is an appeal.

11 2. Persons to be Noticed. Notice of the hearing shall be mailed to  
12 the applicant and to all persons entitled to mailed notice and to any known aggrieved  
13 person, as specified in Section 21.21.302B not less than ten (10) days prior to the  
14 hearing. A person shall not be considered aggrieved for purposes of receiving this  
15 notice if the only indication of interest is the signing of a petition unless that person  
16 indicates on the petition that he wishes to receive notice.

17 3. Appeals in the coastal zone: For any matter in the coastal  
18 zone, in addition to any and all other notices required by this ~~s~~Subsection, notice shall  
19 be mailed to the California Coastal Commission and to all persons requesting notice for  
20 the individual matter or for all coastal zone hearings, and to all residents within one  
21 hundred feet (100') of the site.

22  
23 Section 2. The City Clerk shall certify to the passage of this ordinance  
24 by the City Council and cause it to be posted in three conspicuous places in the City of  
25 Long Beach, and it shall take effect on the thirty-first day after it is approved by the  
26 Mayor.

27 I hereby certify that the foregoing ordinance was adopted by the City Council of  
28 the City of Long Beach at its meeting of \_\_\_\_\_, 20098, by the following

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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vote:

Ayes: Councilmembers:

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Noes: Councilmembers:

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Absent: Councilmembers:

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\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTION 21.21.302  
RELATING TO NOTICING REQUIREMENTS FOR  
HEARINGS

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

Section 1. Section 21.21.302 of the Long Beach Municipal Code is amended to read as follows:

21.21.302 Noticing requirements for hearings.

A. General. Notice shall be given for all hearings requiring notice as set forth in Table 21-1 not less than fourteen (14) days nor more than forty-five (45) days prior to the hearing. In addition to the notice required by this Section, the City may give notice of the hearing in any other manner it deems necessary or desirable, but, in any event, notice shall be given by the means set forth in this Section.

B. For Noticing of Zone Changes and Other Specified Procedures. For noticing of a zone change, conditional use permit, standards variance, administrative use permit, planned development district, local coastal permit, special setback lines, density bonus, or any other planning or zoning matter not otherwise specifically provided for herein:

1. Owners and Occupants. Notice of hearing shall be mailed or delivered to the owner of the subject real property or to the owner's duly authorized agent. One (1) notice of hearing shall also be mailed or delivered to each tenant household or to each commercial

1 tenant as applicable, of the subject real property;

2 2. Project Applicant. Notice shall be mailed or delivered to  
3 the project applicant;

4 3. Local Agencies. Notice of the hearing shall be mailed or  
5 delivered to each local agency expected to provide water, sewage,  
6 streets, roads, schools, or other essential facilities or services to the  
7 project, whose ability to provide those facilities and services may be  
8 significantly affected;

9 4. Surrounding Property Owners.

10 a. (1) For Residential or Commercial projects,  
11 notice of the hearing shall be mailed or delivered to all owners of real  
12 property as shown on the latest equalized assessment roll within seven  
13 hundred and fifty feet (750') of the real property that is the subject of the  
14 hearing. Notice of hearing shall also be mailed or delivered to all tenant  
15 households or commercial tenants, as applicable, of real property that is  
16 located within seven hundred and fifty feet (750') of the Residential or  
17 Commercial real property that is subject to the hearing.

18 (2) For all Institutional or City projects, notice  
19 of the hearing shall be mailed or delivered to all owners of real property as  
20 shown on the latest equalized assessment roll within one thousand feet  
21 (1,000') of the real property that is the subject of the hearing. Notice of  
22 hearing shall also be mailed or delivered to all tenant households or  
23 commercial tenants, as applicable, of real property that is located within  
24 one thousand feet (1,000') of the Institutional or City project real property  
25 that is subject to the hearing.

26 (3) For notices on City-owned property in the  
27 Port of Long Beach and the Long Beach Airport, notices shall also be  
28 mailed and delivered to the leasehold interests on those properties.



1 Notices sent to leaseholders shall count in determination of the twenty  
2 (20)-notice minimum.

3 (4) In lieu of utilizing the assessment roll, the  
4 City may utilize records of the county assessor or tax collector which  
5 contain more recent information than the assessment roll. In no event  
6 shall less than a minimum of twenty (20) nearest property owners, or  
7 owners and leaseholders as specified above, be notified.

8 (5) Notice of the hearing shall also be mailed  
9 or delivered to resident managers of any multifamily residential rental units  
10 where the property owner is not an on-site occupant when the fact of non-  
11 occupancy is known to the person charged with the responsibility of  
12 mailing or delivering notice.

13 (6) Measurement of the distance for  
14 notification pursuant to this Subsection shall begin at the property  
15 boundary of the real property that is the subject of the hearing.

16 b. In a City-initiated zoning remapping program, if the  
17 number of owners to whom notice would be mailed or delivered pursuant  
18 to this Subsection is greater than one thousand (1,000), the City, in lieu of  
19 mailed or delivered notice, may provide notice by placing a display  
20 advertisement of at least one-eighth (1/8) page in at least one (1)  
21 newspaper of general circulation within the local agency in which the  
22 proceeding is conducted at least ten (10) and not more than forty-five (45)  
23 days prior to the hearing; and

24 5. Posting.

25 a. Notice of the hearing shall be posted at least  
26 fourteen (14) days prior to the hearing in at least three (3) public places  
27 within the boundaries of the City, including one (1) public place in the  
28 area, if any, most directly affected by the proceedings. In addition, the

1 applicant or owner of the real property which is the subject of the hearing  
2 shall post a sign of at least thirty inches (30") by forty inches (40") on each  
3 street face of the real property that is the subject of the hearing, the  
4 content of which sign shall be subject to the prior approval of Development  
5 Services staff.

6 b. Building height variance applicants shall erect  
7 story poles which accurately represent the full extent of the proposed  
8 structure to the satisfaction of the Director of Development Services,  
9 including decks and eaves, at least fourteen (14) calendar days prior to  
10 the first public hearing and remain in place through the end of the appeal  
11 period.

12 6. Noticing of Actions in the Coastal Zone. Additionally,  
13 when notice is required to be given for any matter in the coastal zone, in  
14 addition to any and all other notices required by this Subsection, notice  
15 shall be mailed to the California Coastal Commission and to all persons  
16 requesting notice for the individual matter or for all coastal zone hearings,  
17 and to all residents within one hundred feet (100') of the site.

18 C. For noticing of a zoning ordinance amendment:

19 1. Publishing Advertisement. Notice of the hearing shall be  
20 published pursuant to Section 6061 of the California Government Code in  
21 at least one newspaper of general circulation within the City;

22 2. Posting. Notice of the hearing shall be posted at least  
23 fourteen (14) days prior to the hearing in at least three public places within  
24 the boundaries of the City, including one (1) public place in the area, if  
25 any, most directly affected by the proceeding; and

26 3. Mailing. Notice of the hearing shall be mailed, together  
27 with all proposed changes, additions, modifications or deletions to all City  
28 libraries and to anyone requesting such notice.

1                   4. Amendments in the Coastal Zone. For any matter in the  
2 coastal zone, in addition to any and all other notices required by this  
3 Subsection, notice shall be mailed to the California Coastal Commission  
4 and to all persons requesting notice for the individual matter or for all  
5 coastal zone hearings, and to all residents within one hundred feet (100')  
6 of the site.

7                   D. For Noticing of Appeals:

8                   1. Responsibility for Noticing. A notice of the public hearing  
9 on the appeal shall be mailed by the Department of Development Services  
10 for appeals to the City Planning Commission, and by the City Clerk for  
11 appeals to the City Council.

12                   The notice shall contain the same information as the original notice  
13 except that it shall also give the appellant's name and state that the  
14 hearing is an appeal.

15                   2. Persons to be Noticed. Notice of the hearing shall be  
16 mailed to the applicant and to all persons entitled to mailed notice and to  
17 any known aggrieved person, as specified in Section 21.21.302B, not less  
18 than ten (10) days prior to the hearing. A person shall not be considered  
19 aggrieved for purposes of receiving this notice if the only indication of  
20 interest is the signing of a petition unless that person indicates on the  
21 petition that he wishes to receive notice.

22                   3. Appeals in the Coastal Zone: For any matter in the  
23 coastal zone, in addition to any and all other notices required by this  
24 Subsection, notice shall be mailed to the California Coastal Commission  
25 and to all persons requesting notice for the individual matter or for all  
26 coastal zone hearings, and to all residents within one hundred feet (100')  
27 of the site.

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Section 2. 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 \_\_\_\_\_, 2009, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
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Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
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\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor