

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTIONS 21.15.3060, 21.21.501, 21.21.504, 21.25.101, TABLE 30-1 OF SECTION 21.30.040, 21.31.225, 21.31.235.C, 21.31.255, 21.31.265, 21.32.020, 21.32.110, 21.32.120, 21.32.205, 21.32.210, 21.32.220, 21.32.225.A.1, 21.32.235, 21.39.030, 21.41.253, 21.52.206, 21.52.263, 21.52.283, AND TABLE 54-1 OF SECTION 21.54.170; BY ADDING SECTION 21.32.275; AND BY REPEALING SECTION 21.32.130, AND TABLES 32-1A, 32-2A, AND 32-3A, ALL RELATED TO THE ZONING CODE

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

Section 1. Section 21.15.3060 of the Long Beach Municipal Code is amended to read as follows:

21.15.3060 Townhouse.

“Townhouse” means a dwelling unit with one (1) or two (2) common walls, and which has direct exterior access, private yards and no common floors or ceilings with other units including residential projects with two (2) or more side-by-side units.

Section 2. Section 21.21.501 of the Long Beach Municipal Code is amended to read as follows:

21.21.501 Authorization and jurisdiction.

A. Authorization. Any aggrieved person may appeal a decision

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Lona Beach, CA 90802-4664

1 on any project that required a public hearing. Pursuant to Section  
2 21.15.120, an Aggrieved person is any person who testified personally or  
3 through a representative at a public hearing; or who informed the staff of  
4 the Department of Development Services in writing prior to the hearing of  
5 an interest in the subject of a hearing.

6 B. Jurisdiction. The Planning Commission shall have jurisdiction  
7 on appeals of interpretations made pursuant to Section 21.10.045 and  
8 decisions issued by the Zoning Administrator and Site Plan Review  
9 Committee, and the City Council shall have jurisdiction on appeals from the  
10 Planning Commission as indicated in Table 21-1. Decisions lawfully  
11 appealable to the California Coastal Commission shall be appealed to that  
12 body.

13 C. Except as specified by this Code, decisions that are  
14 recommendations to the Planning Commission or to the City Council are  
15 not subject to appeal.

16  
17 Section 3. Section 21.21.504 of the Long Beach Municipal Code is  
18 amended to read as follows:

19 21.21.504 Time for conducting hearing of appeals.

20 A public hearing on an appeal shall be held:

21 A. In the case of appeals to the Planning Commission, within  
22 sixty (60) days of the date of filing of the appeal with the Department of  
23 Planning and Building; or

24 B. In the case of appeals to the City Council, within sixty (60)  
25 days of the receipt by the City Clerk from the Department of Planning and  
26 Building of the appeal filed with the Department.

27 C. The Director of Development Services may provide an  
28 extension of the period for an appeal to be adjudicated for up to

1 ninety (90) days.

2

3 Section 4. Section 21.25.101 of the Long Beach Municipal Code is  
4 amended to read as follows:

5 21.25.101 Zone changes and zoning regulation amendments.

6 A. Initiation. Zone changes and ordinance amendments may be  
7 initiated as provided for in Section 21.21.201.

8 B. Jurisdiction. The City Council shall have the sole authority to  
9 rezone a property or to change the text of the Zoning Regulations.

10 However, the City Council shall not act to rezone property or to change the  
11 text of the Zoning Regulations without first receiving a recommendation  
12 from the Planning Commission in accordance with this Title.

13

14 Section 5. Table 30-1 of Section 21.30.040 of the Long Beach Municipal  
15 Code is amended by deleting the following zones: CO, CH and CT.

16

17 Section 6. Section 21.31.225 of the Long Beach Municipal Code is  
18 amended to read as follows:

19 21.31.225 Lot coverage.

20 Lot coverage shall conform to the standards specified in Table 31-2.

21 The actual garage area up to four hundred (400) square feet per unit, and  
22 up to seven hundred (700) square feet for a single-family dwelling, shall be  
23 exempt from lot coverage.

24

25 Section 7. Section 21.31.235.C of the Long Beach Municipal Code is  
26 amended to read as follows:

27 C. Garages. The actual garage up to four hundred (400) square  
28 feet per unit and up to seven hundred (700) square feet for a single-family

1 dwelling shall be excluded from the calculation of floor area. Floor area  
2 above the garage is not excluded.

3

4 Section 8. Section 21.31.255 of the Long Beach Municipal Code is  
5 amended to read as follows:

6 21.31.255 Design, treatment and finish.

7 The following design standards shall apply to all single-family  
8 detached and attached dwelling units unless, through site plan review, the  
9 Site Plan Review Committee or the Planning Commission finds variation  
10 from these standards to be appropriate:

11 A. Unit Size. All single-family dwellings shall be at least sixteen  
12 (16) feet wide.

13 B. Roof Material. No single-family dwelling shall have roofing  
14 materials with a reflective surface that produces glare.

15 C. Siding. No single-family dwelling shall have siding with a  
16 reflective surface that produces glare.

17 D. Style. Buildings in the R-1-T and R-3-T districts shall  
18 maintain a design style consistent with the style of the adjoining  
19 neighborhood.

20 E. Large Single-Family Dwellings. New single-family dwellings  
21 and single-family dwelling rebuild projects in the R-1-L zone that exceed  
22 five thousand (5,000) square feet in total size or are within ten percent  
23 (10%) of the property's maximum floor area ratio shall comply with the  
24 following requirements:

25 1. Four-sided architecture is required. Building details and  
26 design treatments shall be consistent on all building elevations. Bay  
27 windows, chimneys, and other projections shall be incorporated in building  
28 design for visual and architectural interest.

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2. All dwellings shall provide an inset/offset on walls twenty-five (25) feet or greater in length. Wall insets/offsets shall be at least two (2) feet deep and have a span of at least ten (10) feet and extend from grade to eave.

3. Primary facades shall be street facing and entrances shall be obvious and visible. The height of porches or covered entryway features shall not exceed fifteen (15) feet.

4. Second story windows facing an interior side property line shall not be located directly in line with the second story bedroom windows of a neighboring structure.

Section 9. Section 21.31.265 of the Long Beach Municipal Code is amended to read as follows:

21.31.265 Mechanical equipment screening.

Except as otherwise specified by this Code or any applicable PD or Specific Plan, all exterior mechanical equipment shall be screened by visually solid screening devices at least as high as the equipment.

Equipment to be screened includes, but is not limited to, air conditioning and refrigeration equipment, duct work, heating, plumbing lines, and utility meters and telecommunications equipment pursuant to the requirements of Chapter 21.56. Additional standards shall apply as follows to improve aesthetic qualities and to prevent unauthorized access into a building.

A. R-4-H, PD Zones. In the R-4-H and PD zones which allow high-rise development, all rooftop-mounted equipment (except solar collectors, heater and plumbing vents, passive air vents, roof hatches and rain gutters) shall be screened from public view both at grade and from higher buildings. The Director of Planning and Building shall review all screening for compliance with these provisions.

1           B.     R-4-R, R-4-N, R-4-U and PD Zones. In the R-4-R, R-4-N and  
2 R-4-U zones, and in PD zones planned for low-rise development, all  
3 rooftop-mounted mechanical equipment (except solar collectors, heating  
4 and plumbing vents, passive air vents, roof hatches and rain gutters) shall  
5 be screened from public view by solid screening devices at least as high as  
6 the equipment being screened.

7           C.     Materials and Design. Screening materials shall, at a  
8 minimum, have evenly distributed openings or perforations not exceeding  
9 fifty (50) percent of surface area. All screening devices shall be of a  
10 material requiring minimal maintenance. Wood generally shall not be used.  
11 All screening devices shall be well integrated into the design of the building  
12 through such items as parapet walls, false roofs or equipment rooms.  
13 Louvered designs are acceptable if consistent with building design style.

14           D.     Substitutions. Well planned, compact, architecturally  
15 integrated rooftop equipment may be substituted for screening with the  
16 approval of the Director of Planning and Building.

17           E.     Secured. All rooftop mechanical equipment shall be secured  
18 from unauthorized entry to the satisfaction of the Director of Planning and  
19 Building.

20           F.     Fire Rings. Rooftop fire rings shall be prohibited in all  
21 residential zones.

22  
23           Section 10.   Section 21.32.020 of the Long Beach Municipal Code is  
24 amended to read as follows:

25           21.32.020   Districts established.

26           Nine (9) commercial districts are established by this Chapter as  
27 follows:

28           A.     Neighborhood Commercial Zoning Districts. The

1 Neighborhood Commercial Zoning District includes neighborhood-serving  
2 centers and corridors that provide small scale, low-intensity uses to meet  
3 the daily retail and service needs of surrounding residents. Uses and the  
4 scale of development shall be compatible with surrounding residential  
5 neighborhoods and shall be designed to promote pedestrian and bicycle  
6 access. Scale is determined by the size of adjoining residential uses, the  
7 commercial lot size and the commercial street width. Special scale  
8 restrictions apply in these districts. There are three (3) types of  
9 Neighborhood Commercial Districts:

10 1. The Neighborhood Pedestrian (CNP) District is  
11 oriented towards serving pedestrians and encouraging pedestrian activity  
12 by locating buildings along the primary street frontage and parking behind  
13 the buildings.

14 2. The Neighborhood Automobile-Oriented (CNA) District  
15 is auto-oriented with buildings set back from the front property line and  
16 parking located between the building and the street.

17 3. The Neighborhood Commercial and Residential (CNR)  
18 District is a mixed-use district permitting small scale commercial uses  
19 and/or moderate density residential development at R-3-T densities.

20 C. Community Commercial Zoning Districts. The Community  
21 Commercial Zoning Districts provide medium scale uses that serve an  
22 entire community, including those who arrive by automobile, and which  
23 may require buffering to ensure compatibility with adjacent residential  
24 neighborhoods. These districts are located on major or minor arterials,  
25 located on larger lot sizes and adjoining larger scale residential  
26 neighborhood uses or are buffered from smaller scale residential  
27 neighborhoods. There are four (4) types of Community Commercial  
28 Districts:

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1. The Community Automobile-Oriented (CCA) District permits retail and service uses for an entire community including convenience and comparison shopping for goods and associated services.

2. The Community Pedestrian-Oriented (CCP) District permits retail and service uses with a development character intended to encourage pedestrian activity with buildings built to the street property line and parking is to the side or the rear.

3. The Community R-4-R (CCR) District is similar to the Community Auto-Oriented District, but also permits moderate density residential development at R-4-R densities.

4. The Community R-4-N (CCN) District is similar to the Community Auto-Oriented District, but also permits medium density residential development at R-4-N densities.

D. Regional Commercial Zoning District. The Regional Commercial District provides for large scale, mixed uses on large sites in activity centers. These sites are located on major arterial streets and regional traffic corridors. There is one (1) type of Regional Commercial Zoning District:

1. The Regional Highway District (CHW) is a commercial use district for mixed scale commercial uses located along major arterial streets and regional traffic corridors. Residential use is not permitted.

E. Commercial Storage Zoning District. The Commercial Storage (CS) District encourages storage uses in areas which are particularly difficult to use due to parcel shape, access, adverse environmental conditions, or in areas where parcels are needed to form a buffer from incompatible uses.



1                   Section 11. Section 21.32.110 of the Long Beach Municipal Code is  
2 amended to read as follows:

3                   21.32.110 Permitted uses.

4                   The principal use in all commercial districts shall be commercial,  
5 although some districts are intended for mixed commercial and residential  
6 uses. Table 32-1 indicates the classes of uses permitted (Y), not permitted  
7 (N), permitted as a conditional use (C), permitted as an administrative use  
8 (AP), permitted as an accessory use (A), and permitted as a temporary use  
9 (T) in all districts. An asterisk (\*) indicates that a use is permitted subject to  
10 specific development standards outlined in Chapter 21.45 (Special  
11 Development Standards) of this Title.

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13                   Section 12. Section 21.32.120 of the Long Beach Municipal Code is  
14 amended to read as follows:

15                   21.32.120 Prohibited uses.

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

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20                   Section 13. Section 21.32.205 of the Long Beach Municipal Code is  
21 amended to read as follows:

22                   21.32.205 Lot Size.

23                   Table 32-2 indicates the minimum lot size requirements. These  
24 requirements may apply only to a new subdivision of existing parcels.

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26                   Section 14. Section 21.32.210 of the Long Beach Municipal Code is  
27 amended to read as follows:

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21.32.210 Building height.

The height of all buildings shall be limited as indicated in Table 32-2.

Section 15. Section 21.32.220 of the Long Beach Municipal Code is amended to read as follows:

21.32.220 Yards.

The yard areas indicated in Subsections 21.32.220.A through 21.32.220.D shall be clear of all structures from the ground to the sky (except as otherwise permitted) and shall be landscaped and maintained in a neat and healthy condition according to the landscaping provisions of this Title.

A. Required. Yard areas shall be provided as indicated in Table 32-2.

B. Corner Cut-Offs. Corner cut-offs shall be required in all commercial districts at all intersecting streets, driveways or alleys. Nothing shall be erected or allowed to grow within the corner cut-off in such a manner which impedes access or visibility. Required corner cut-offs shall be a minimum of six feet by six feet (6' x 6').

C. Permitted Structures. No structures are permitted in required yards, except:

1. Signs, as specified in the Chapter relating to on-premises signs (Chapter 21.44);
2. Outdoor dining;
3. Structures allowed in Table 31-3 (structures in required yards, residential districts);
4. Vehicle parking as allowed by Table 32-2;
5. Vehicle loading in street frontage setbacks as provided in Section 21.41.310; and

1                               6. Awnings as allowed by the Uniform Building Code.

2                               D. Required Landscaping. All required yard areas, except yards  
3 abutting alleys and yards used for outdoor dining, shall contain an area not  
4 less than five feet (5') in width planted with trees, shrubs and/or  
5 groundcover. The four foot (4') setback area from the abutting alley shall  
6 also be landscaped unless such area is used for a driving aisle. For  
7 additional landscape requirements, see Chapter 21.42, Landscape  
8 Standards.

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10                              Section 16. Section 21.32.225.A.1 of the Long Beach Municipal Code is  
11 amended to read as follows:

12                              1. Open Storage. Open storage shall be prohibited.  
13 Certain merchandise is permitted to be displayed outdoors for sale or rent  
14 as indicated in Table 32-1.

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16                              Section 17. Section 21.32.235 of the Long Beach Municipal Code is  
17 amended to read as follows:

18                              21.32.235 Residential uses in commercial districts.

19                              All residential development in commercial districts shall comply with  
20 the density and development standards indicated in Table 32-3.

21                              Residential uses shall be permitted in commercial districts as indicated in  
22 Table 32-1.

23

24                              Section 18. Section 21.39.030 of the Long Beach Municipal Code is  
25 amended to read as follows:

26                              21.39.030 Applicable districts.

27                              The commercial corridor (CC) and institutional (I) districts are the  
28 only districts appropriate for the high-rise overlay zone.

1 Section 19. Section 21.41.253 of the Long Beach Municipal Code is  
2 amended to read as follows:

3 21.41.253 Parking areas - Curb cuts.

4 A curb cut clearance shall be obtained from the Public Works  
5 Department and shall be submitted with an application for a building permit.  
6 For any nonresidential use with more than a fifty foot (50') frontage on a  
7 street, no curb cut shall be permitted within thirty-five feet (35') of an  
8 intersection. All unused curb cuts shall be replaced with a full height curb  
9 and gutter. For purposes of this Section, "unused curb cut" shall mean any  
10 curb cut not used to access required parking that has been approved by  
11 the City. The Zoning Administrator may determine when an unused curb  
12 cut may remain when justified by existing conditions on the site, including  
13 but not limited to:

- 14 A. Properties in Historic Districts;
- 15 B. Properties in Parking-Impacted Areas;
- 16 C. Properties with permitted Accessory Dwelling Units;
- 17 D. Properties with non-conforming uses.

18  
19 Section 20. Section 21.52.206 of the Long Beach Municipal Code is  
20 amended to read as follows:

21 21.52.206 Automobile related services.

22 The following conditions shall apply to auto repair shops, service  
23 stations, car washes, auto upholstery shops, auto parts and tire sales,  
24 camper installation businesses, van conversion businesses and the like:

- 25 A. In the CB district, such uses shall be limited to locations inside  
26 parking structures;
- 27 B. In the CR zone, conditional use permits shall be limited to the  
28 expansion of existing nonconforming uses;

1 C. Automobile service station uses shall be limited to: retail sales  
2 of fuel, oil and small vehicle parts;

3 D. The proposed use shall not intrude into a concentration of retail  
4 uses and shall not impede pedestrian circulation between retail uses;

5 E. The proposed use shall not create unreasonable obstructions  
6 to traffic circulation around or near the site;

7 F. No curb cuts shall be permitted within forty feet (40') of any  
8 public roadway intersection;

9 G. No vehicles may be stored at the site for purposes of sale,  
10 unless the use is also a vehicle sales lot or for the use as parts for vehicles  
11 under repair; and

12 H. The site shall comply with all applicable development  
13 standards for open storage and repair uses specified in Chapter 21.45,  
14 "Special Development Standards".  
15

16 Section 21. Section 21.52.263 of the Long Beach Municipal Code is  
17 amended to read as follows:

18 21.52.263 Elementary and secondary schools.

19 The following conditions shall apply to private elementary and  
20 secondary schools:

21 A. Such facilities shall be located on a Neighborhood Connector  
22 or Local Street as defined by the City of Long Beach Mobility Element;

23 B. Such facilities shall conform to the development standards of  
24 the district in which they are located including parking;

25 C. In a residential zone, the site shall be limited to forty thousand  
26 (40,000) square feet in size; and

27 D. An applicant seeking to convert an existing commercial  
28 building into a school shall file a request with the Building Bureau for a

1 special code compliance inspection. The report shall address all building  
2 code issues related to establishing a school in a commercial building. The  
3 report must be received by the Planning Bureau before an application for  
4 conditional use permit is considered complete.

5 E. The Zoning Administrator may approve an exception to the  
6 locational requirements in sub-section A based on the following findings:

7 1. The total number of students, staff and visitors on the site  
8 at any one time shall not exceed 100, and;

9 2. The applicant has submitted a plan for accommodating all  
10 pick-up and drop-off activity on the site; or

11 3. The applicant has established other trip reduction  
12 measures to ensure that the total number of daily trips to and from the site  
13 will not exceed the number of trips the Mobility Element has established for  
14 the street classification applicable to the site.

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16 Section 22. Section 21.52.283 of the Long Beach Municipal Code is  
17 amended to read as follows:

18 21.52.283 - Vehicle rental services.

19 The following conditions shall apply to vehicle rental service uses:

20 A. In the CB zone, only passenger vehicles and bicycle rentals  
21 shall be allowed; and

22 B. Any vehicle repair activities shall comply with the regulations  
23 pertaining to outdoor vehicle repair uses as set forth in Chapter 21.45  
24 (Special Development Standards). However, in the CB zone, all repair work  
25 shall occur within a fully enclosed building.

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27 Section 23. Table 54-1 of Section 21.54.170 of the Long Beach Municipal  
28 Code is amended by amending the Footnotes to read as follows:

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Footnotes:

(a) Required spacing between billboards on same side of the right-of-way, whether electronic or non-electronic.

(b) Street classifications are as shown on the Functional Classification of Streets map in the Transportation Element of the General Plan. See equivalence table (Table 54-1A) for updated designations adopted into the 2013 General Plan Mobility Element.

(c) If a lot has frontage on a right-of-way that is a Freeway, Regional Corridor, or Major Arterial, and on a street that is not a Freeway, Regional Corridor, or Major Arterial, the billboard shall be located no more than 25 feet from the property line with frontage on a Freeway, Regional Corridor, or Major Arterial.

(d) Any billboard adjacent to a freeway right-of-way, but not freeway-oriented and not adjacent to a Regional Corridor or Major Arterial, shall be prohibited.

(e) Billboards in the IP zoning district shall require approval of the Harbor Department.

(f) Size shall not be increased over that of the existing billboard unless explicitly approved by the Planning Commission.

Section 24. The Long Beach Municipal Code is amended by adding Section 21.32.275 to read as follows:

21.32.275 Undergrounding of utilities.

A. All projects considered new development or rebuilds shall provide for the ability to connect the building to any future undergrounding of utilities that may occur in the block. Such provisions shall include a vacant duct to the appropriate feed point on the public right-of-way for the underground connection.

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B. The utility company's design of the electric system, including locations and aesthetic treatment, shall be in accordance with the regulations of the Public Utilities Commission of the State of California.

C. All projects considered new development or rebuilds shall underground all overhead utility service to the site. In lieu of such undergrounding, the project developer may pay an in-lieu fee to the Department of Public Works for use in the undergrounding within the applicable district. Such districts shall be established within one (1) year of the effective date of this Section and separate funds established for each district. The in-lieu fee shall be established by the City Engineer and applied to the linear footage of the project site.

Section 25. Section 21.32.130, and Tables 32-1A, 32-2A and 32-3A, are hereby repealed.

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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 \_\_\_\_\_, 2019, by the following vote:

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

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

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

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

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor