

1 RESOLUTION NO. RES-20-0075

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3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF
5 DEVELOPMENT SERVICES TO SUBMIT AMENDMENTS
6 TO THE LONG BEACH ZONING REGULATIONS TO THE
7 CALIFORNIA COASTAL COMMISSION FOR APPROVAL
8

9 WHEREAS, the City Council of the City of Long Beach amended certain
10 provisions of the Long Beach Zoning Regulations, Title 21, of the Long Beach Municipal
11 Code, and submitted said amendments as a Local Coastal Program (LCP) Amendment
12 to the California Coastal Commission (CCC) for review and approval;

13 WHEREAS, on February 12, 2020, in Long Beach, California, the California
14 Coastal Commission approved the City of Long Beach's proposed LCP Amendment No.
15 3-18C with suggested modifications;

16 WHEREAS, the City Council of the City of Long Beach has adopted said
17 modifications by amending certain provisions of the Long Beach Zoning Regulations by
18 adopting Ordinance No. ORD-20- 0025, on July 7, 2020;

19 WHEREAS, it is the desire of the City Council to resubmit the above
20 referenced zoning regulation amendment ordinance to the California Coastal
21 Commission for review and certification;

22 WHEREAS, the City Council gave full consideration to all facts and the
23 proposals respecting the amendments to the zoning regulations at a properly noticed and
24 advertised public hearing;

25 WHEREAS, the proposed zoning regulation amendments are to be carried
26 out in a manner fully consistent with the Coastal Act and become effective in the Coastal
27 Zone immediately upon Coastal Commission certification and approval; and

28 WHEREAS, the City Council hereby finds that the proposed zoning

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1 amendments will not adversely affect the character, livability or appropriate development
2 in the City of Long Beach and that the amendments are consistent with the goals,
3 objectives and provisions of the City's General Plan and the California Coastal Act.

4 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
5 follows:

6 Section 1. The amendment to the Long Beach Zoning Regulations of the
7 City of Long Beach adopted on July 7, 2020, by Ordinance No.
8 ORD-20-0025, a copy of which is attached to and incorporated in this
9 resolution as Exhibit "A", is hereby submitted to the California Coastal Commission for its
10 earliest review as to that part of the ordinance that directly affects land use matters in that
11 portion of the California Coastal Zone within the City of Long Beach.

12 Section 2. The Director of Development Services of the City of Long
13 Beach is hereby authorized to and shall submit a certified copy of this resolution, together
14 with appropriate supporting materials, to the California Coastal Commission with a
15 request for its earliest action, as an amendment to the Local Coastal program that will
16 take effect automatically upon Coastal Commission approval pursuant to the Public
17 Resources Code or as an amendment that will require formal City Council adoption after
18 Coastal Commission approval.

19 Section 3. This resolution shall take effect immediately upon its adoption
20 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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1 I certify that this resolution was adopted by the City Council of the City of
2 Long Beach at its meeting of June 23, 2020, by the following vote:

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

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7 Noes: Councilmembers: None.

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9 Absent: Councilmembers: None.

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11 Recusal(s): Councilmembers: Pearce.

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15 City Clerk

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EXHIBIT A

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ORDINANCE NO. ORD-20-0025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SECTION 21.25.903, SUBSECTION 21.25.904.C, SECTION 21.31.110, TABLE 31-1, TABLE 32-1, TABLE 32-1A, SUBSECTION 21.33.060.C, TABLE 33-2, SECTION 21.52.232, SECTION 21.52.260, SUBSECTION 21.56.030.C, SUBSECTION 21.56.100.J, SECTION 21.56.120, AND SUBSECTION 21.56.140.C, RELATING TO VARIOUS SECTIONS OF TITLE 21 ZONING REGULATIONS RELATING TO ASSEMBLY USES, URBAN AGRICULTURE, WIRELESS TELECOMMUNICATION FACILITIES, AND ADULT-USE CANNABIS INCORPORATING THE SUGGESTED MODIFICATIONS BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, the City Council amended various sections of the Zoning Code related to assembly uses (ORD 18-0030 adopted on December 11, 2018), urban agriculture (ORD-17-0024 adopted on October 10, 2017), Wireless Telecommunication Facilities (ORD-18-0012 adopted on May 1, 2018), and adult use cannabis (ORD-18-0015 adopted on July 10, 2018) and directed staff to submit the aforementioned Ordinances to the California Coastal Commission for certification.

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

1 Implementation Plan, must be certified by the California Coastal Commission.

2 WHEREAS, the Ordinances were submitted as a Local Coastal Program
3 (LCP) Amendment to the California Coastal Commission (CCC) on December 28, 2018
4 for certification. On February 12, 2020, the California Coastal Commission considered
5 the Local Coastal Program Amendment and took action to approve 14 modifications;

6 WHEREAS, in order for the LCP Amendment to be certified by the
7 California Coastal Commission, the City Council is taking action to accept the
8 modifications by this ordinance.

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

11 Section 1. Section 21.25.903 of the Long Beach Municipal Code is
12 amended to read as follows:

13 21.25.903 Permit required.

14 All development in the coastal zone shall be required to obtain either
15 a coastal permit pursuant to Section 21.25.904 or a coastal permit
16 categorical exclusion pursuant to Section 21.25.906. Such approval must
17 be issued prior to the start of development and shall be required in addition
18 to any other permits or approvals required by the City.

19 A. Coastal Permit Issued by the Coastal Commission.

20 Developments on tidelands and submerged lands require a permit issued
21 by the California Coastal Commission in accordance with the procedure as
22 specified by the California Coastal Commission.

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

26 1. Development on the first lot located on, adjacent to,
27 across the street from, or abutting the beach, bay, ocean or tidelands,
28 except minor additions to a single-family residence as specified in

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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.

C. Exemptions. The following categories of projects are exempt from the coastal permit requirement. However, a coastal permit categorical exclusion (CPCE) shall be obtained pursuant to the procedures indicated in Section 21.25.906.

1. Minor additions on existing single-family residences for the first lot located on, adjacent to, across the street from, or abutting the beach, bay ocean or tidelands. Such additions must be less than ten percent (10%) of the existing floor area and shall not create an additional story or loft.

2. All projects (excluding the above) which are consistent with the Zoning Regulations, Local Coastal Program, applicable water quality standards, best management practices and pollution controls, and which do not require any discretionary review (e.g., conditional use permit, subdivision map).

3. Traffic improvements which do not:

a. Alter roadway or intersection capacity by more

- 1 than ten percent (10%) (except stop signs and stop lights); or
2 b. Decrease parking (except by establishing a red
3 curb next to a corner); or
4 c. Impair access to the coast.
5 4. Public works projects (excluding traffic improvements)
6 with an estimated cost of forty-nine thousand nine hundred ninety-
7 nine dollars (\$49,999.00) or less.
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9 Section 2. Section 21.25.904.C of the Long Beach Municipal Code is
10 amended to read as follows:

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

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

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

20 3. For an application for a religious assembly use, if an
21 exception or waiver of LCP requirements is sought under Section
22 21.52.219.8.G, that the exception or waiver allows the minimum deviation
23 from LCP requirements necessary to comply with RLUIPA, and that the
24 decision maker has imposed all conditions necessary to comply with all
25 provisions of the LCP, with the exception of the provision(s) for which
26 implementation would violate RLUIPA.

27 4. The proposed development is sited, designed and
28 managed to minimize the transport of pollutants by runoff into coastal

1 waters and groundwater, and to minimize increases in runoff volume and
2 velocity from the site which may adversely impact coastal resources or
3 coastal bluff stability. Best Management Practices shall be implemented, as
4 applicable, including but not limited to applicable local, regional, state and
5 federal water quality permits, standards and guidance provided in the LCP,
6 best practices and other measures as may be recommended by the City
7 Engineer.

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9 Section 3. Section 21.31.110 of the Long Beach Municipal Code is
10 amended to read as follows:

11 21.31.110 Permitted uses.

12 Table 31-1 indicates all uses permitted (Y), not permitted (N),
13 permitted by conditional use permit (C), permitted as an accessory use (A)
14 and permitted as a temporary use (T) in the residential zones. Permitted
15 uses with an asterisk (*) are subject to special development standards
16 contained in Chapter 21.45 of this Title. Accessory uses, conditional uses
17 and temporary uses also have special development standards, as set forth
18 in Chapters 21.51, 21.52 and 21.53, respectively. All projects within the
19 Coastal Zone are also subject to the Local Coastal Program and provisions
20 as set forth in Chapter 21.25 Division IX.

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22 Section 4. Table 31-1, Uses Residential Zones, of the Long Beach
23 Municipal Code is amended by adding the following language at the end of the table
24 immediately before the list of abbreviations:

25 All projects within the Coastal Zone are also subject to the Local Coastal
26 Program and provisions as set forth in Chapter 21.25 Division IX.

27 Use, operating, and other regulations contained outside of Title 20 and Title
28 21 are not certified by the California Coastal Commission.

1 Section 5. Table 32-1, Uses in All Other Commercial Zoning Districts, of
 2 the Long Beach Municipal Code, under Public and Semi-Public Institutional, is amended
 3 and restated to read as follows:

4
 5 **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	
Public and Semi-Public Institutional										
Community Assembly Uses (Accessory Only <25% of GFA)	Y	Y	Y	Y	Y	Y	Y	Y	N	Accessory assembly uses shall comply with applicable regulations for assembly uses, such as parking and building code requirements
Religious assembly uses with 1) up to 2,500 sq. ft. of GFA; and 2) 100 or fewer occupants	Y	Y	Y	Y	Y	Y	Y	Y	N	See Section 21.52.219.8. Religious Assembly Uses shall be permitted (Y) in the PD-30 Downtown Plan Area (excluding Neighborhood Overlay), subject to Section 21.52.219.8.
Religious assembly uses with 1) between 2,501 sq. ft. and 25,000 sq. ft. GFA; or 2) more than 100 occupants	AP	AP	AP	Y	AP	Y	Y	Y	N	
Religious assembly uses with over 25,000 square feet of GFA	N	N	N	C	N	C	C	C	N	

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Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Convalescent hospital or home	N	N	N	N	N	C	C	N	N	
Daycare or pre-school	Y	Y	Y	Y	Y	Y	Y	Y	C	
Funeral and Mortuary	N	N	N	AP	AP	AP	AP	Y	N	Crematorium only allowed as accessory use subject to conditions of Section 21.52.211.
Industrial arts trade school or rehabilitation workshop	N	N	N	C	C	C	C	Y	N	
Parsonage	A	A	A	A	A	A	A	A	N	Accessory to and on the same parcel as associated religious assembly use.
Private elementary or secondary school	N	N	N	C	C	C	C	C	N	Special conditions apply (see Sections 21.52.263 and 21.52.249).
Professional school/business school	N	N	N	Y	Y	Y	Y	Y	N	
Public Library	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Social service office (with food distribution)	N	N	N	N	N	N	N	C	N	Also see industrial and institutional zones.

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Uses	Neighborhood			Community			Regional		Other	Additional Regulations
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Social service office (without food distribution)	N	AP	N	AP	AP	AP	AP	Y	N	
Other institutional uses	N	N	N	AP	N	AP	AP	AP	N	

Section 6. Table 32-1, Uses in All Other Commercial Zoning Districts, of the Long Beach Municipal Code, is amended by adding the following language at the end of the table immediately before the list of abbreviations:

All projects within the Coastal Zone are also subject to the Local Coastal Program and provisions as set forth in Chapter 21.25 Division IX.

Use, operating, and other regulations contained outside of Title 20 and Title 21 are not certified by the California Coastal Commission.

Section 7. Table 32-1A, Uses in Commercial Zoning Districts, of the Long Beach Municipal Code, is amended by adding the following language at the end of the table immediately before the list of abbreviations:

All projects within the Coastal Zone are also subject to the Local Coastal Program and provisions as set forth in Chapter 21.25 Division IX.

Use, operating, and other regulations contained outside of Title 20 and Title 21 are not certified by the California Coastal Commission.

Section 8. Subsection 21.33.060.C of the Long Beach Municipal Code is amended to read as follows:

Table 33-2 shall be used to determine applicable use regulations in the industrial districts. Table 33-2 establishes general classes of uses. For

1 each category, the table indicates whether the class of use is permitted by
2 right (Y); not permitted (N); permitted subject to an administrative use
3 permit (AP) as defined in Chapter 21.25, Division IV (Administrative Use
4 Permits) of this Title; or permitted subject to conditional use permit review
5 (C) pursuant to Chapter 21.25, Division II (Conditional Use Permits) of this
6 Title. All projects within the Coastal Zone are also subject to the Local
7 Coastal Program and provisions as set forth in Chapter 21.25 Division IX.

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9 Section 9. Table 33-2, Uses in Industrial Districts, of the Beach Municipal
10 Code, is amended by adding the following language at the end of the table immediately
11 before the list of abbreviations:

12 All projects within the Coastal Zone are also subject to the Local Coastal
13 Program and provisions as set forth in Chapter 21.25 Division IX.
14 Use, operating, and other regulations contained outside of Title 20 and Title
15 21 are not certified by the California Coastal Commission.

16
17 Section 10. Section 21.52.232 of the Long Beach Municipal Code is
18 amended to read as follows:

19 21.52.232 Fitness or health club, dance or karate studio and the like.
20 A. The use shall demonstrate adequate parking for peak demand.
21 B. The facility shall be limited to five thousand (5,000) square feet
22 of gross usable floor area in neighborhood commercial zones (CNP, CNA
23 and CNR).

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25 Section 11. Section 21.52.260 of the Long Beach Municipal Code is
26 amended to read as follows:

27 21.52.260 Interim Playgrounds, urban agriculture use, community
28 gardens and recreational parks.

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The following shall apply to interim playgrounds, community gardens and recreational parks. Only A, B, and C apply to urban agriculture uses:

A. Improvements for an interim playground/community garden/recreational park shall be limited to landscaping, irrigation systems, accessory buildings and accessory structures.

B. The following setbacks shall apply to all accessory buildings and accessory structures:

1. Front. The front setback shall be the same as a principal structure in the applicable zoning district.

2. Side. A four-foot (4') side setback is required when abutting a residential district otherwise none is required.

3. Rear. A ten-foot (10') rear setback is required when abutting a residential district otherwise none is required.

C. The maximum height of any accessory building shall be thirteen feet (13').

D. The interim playground/community garden/recreational park hours of operation shall be seven-thirty (7:30) a.m. to dusk.

E. Off-street parking shall not be required for an interim playground/community garden/recreational park.

F. Adequate trash receptacles shall be provided and maintained for the life of the use.

Section 12. Subsection 21.56.030.C of the Long Beach Municipal Code is amended to read as follows:

C. Locations in the public right-of-way. A Wireless Right-of-Way Facility Permit shall be required for the initial construction and installation of all new Wireless Telecommunications Facilities in accordance with all procedures set forth in Chapter 15.34. In the coastal zone, a Coastal

1 Development Permit may be required for new Wireless
2 Telecommunications Facilities development in accordance with all
3 procedures set forth in Division IX of Chapter 21.25.
4

5 Section 13. Subsection 21.56.100.J of the Long Beach Municipal Code is
6 amended to read as follows:

7 J. Generators and emergency power. Diesel generators are
8 allowed as an emergency power source, although they are discouraged.
9 When a feasible alternative technology for permanent on-site backup
10 power becomes available (for example, fuel cells) the Department of
11 Development Services may require the use of such technology in lieu of a
12 diesel generator, unless the applicant provides written documentation
13 explaining why such an alternative is not feasible. All generator installations
14 shall comply with all containment requirements of the applicable Fire and
15 Building Codes, without exception. Unless otherwise approved by the
16 Director of Public Works or if within the Coastal Commission's retained
17 permit jurisdiction area, by the Coastal Commission or its Executive
18 Director, generators and emergency power source for wireless facilities
19 located in the public right-of-way are prohibited.
20

21 Section 14. Section 21.56.120 of the Long Beach Municipal Code is
22 amended to read as follows:

23 21.56.120 Additional requirements and standards for Wireless
24 Telecommunications Facilities and co-location facilities in the
25 coastal zone.

26 A. Location. New Wireless Telecommunications Facilities shall
27 not be located between the first public highway and the sea or bay, unless
28 no feasible alternative exists, and the facility is not visible from a public

1 location, or will be attached to an existing structure in a manner that does
2 not significantly alter (in the determination of the Staff Site Plan Review
3 Committee) the exterior appearance of the existing structure.

4 B. Operational Interference with Public Rights-of-Way. No part
5 of a wireless telecommunication facility shall alter vehicular circulation or
6 parking within the public right-of-way, nor shall it impede vehicular and/or
7 pedestrian access or visibility along any public right-of-way. No permittee
8 shall locate or maintain wireless telecommunication facilities to
9 unreasonably interfere with the use of City property or the public right-of-
10 way by the City, by the general public or by other persons authorized to
11 use or be present in or upon the public right-of-way. Unreasonable
12 interference includes disruption to vehicular or pedestrian traffic on City
13 property or the public right-of-way, interference with public utilities, and
14 any such other activities that will present a hazard to public health, safety
15 or welfare when alternative methods of construction would result in less
16 disruption. All such wireless telecommunications facilities shall be moved
17 by the permittee, at the permittee's cost, temporarily or permanently, as
18 determined by the Director of Public Works.

19 C. Aesthetic Impacts. All wireless telecommunication facilities
20 shall be designed and located to eliminate or substantially reduce their
21 visual and aesthetic impacts upon the surrounding public rights-of-way
22 and public vantage points. To accomplish this goal, all wireless
23 telecommunication equipment shall be developed with the intent of
24 locating and designing such facilities in the following manner and order of
25 preference (from top to bottom). In instances where a facility is proposed
26 for installation at a location or in a manner that is not the highest
27 preference for each of the following categories, the applicant shall make a
28 factual showing that all higher preferences are infeasible:

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1. Antenna preferences:
 - a. On an existing public utility pole;
 - b. On a replacement street light pole;
 - c. On an existing structure other than a street light pole or utility pole in the public-right-of-way;
 - d. On a new structure other than a street light pole or utility pole in the public right-of-way (e.g., wireless telecommunication kiosk);
 - e. On an existing non-wood utility pole;
 - f. On a new non-wood utility pole;
 - g. On an existing wood utility pole.
2. Equipment preferences (for all appurtenant equipment, including, but not limited to, radio units, power supplies, voltage converters, and electrical service connections and meters):
 - a. When bundled in an all-in-one equipment cabinet with the antenna(s), provided, however, that the size of the cabinet shall be minimized to the satisfaction of the Director of Public Works;
 - b. Within a below-grade equipment vault, or on a street light pole or utility pole that does not place new cabinets or other above ground furniture in the public right-of-way, provided, however, that the size of the boxes on the pole shall be minimized to the satisfaction of the Director of Public Works and that the power supply equipment is undergrounded;
 - c. Attached to existing power source in an existing utility box;
 - d. Enclosed at the base of the pole on which the antenna(s) is/are proposed for installation;

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- e. In an existing ground-mounted (grade-level) equipment cabinet, with no expansion or additional cabinets to be added;
 - f. Within a new equipment enclosure mounted at grade.
3. Site location preferences:
- a. Within the public right-of-way, not in a center median, and not requiring the removal of existing parkway trees, reduction of the size of any parkway landscape planters, and not requiring any modifications to the existing location of any infrastructure within the public right-of-way;
 - b. Within the parkway landscaping within the public right-of-way, and requiring only minor alterations to the existing parkway landscaping (including planter size) and/or infrastructure;
 - c. Within the public right-of-way in a manner that requires significant alteration to the existing public improvements and/or infrastructure.
4. Site location restrictions. In addition to the orders of preference specified in the preceding subsections, the following location prohibitions shall be applicable to all applications for installations of wireless telecommunications facilities in the public rights-of-way.
- a. All wireless telecommunication facility antennas, equipment and related infrastructure shall be prohibited in all center street medians;
 - b. In Residential Zoning Districts or Residential Planned Development Districts, only one (1) wireless telecommunications facility and associated equipment per applicant (including contractors, subcontractors, agents, or lessors to applicant or applicant's affiliate) shall be permitted within the public right-of-way within a five hundred foot (500')

1 radius. For all other applicants, only one (1) wireless telecommunications
2 facility and associated equipment per applicant shall be permitted within
3 the public right-of-way within a one hundred foot (100') radius. The
4 separation requirements in the preceding two sentences may be waived
5 by the Director of Public Works upon a demonstration that the refusal to
6 allow an additional facility within a five hundred foot (500') or one hundred
7 foot (100') radius will result in the creation of a significant coverage gap
8 for the applicant and/or that such refusal will otherwise violate an
9 applicable state or federal law;

10 c. Wireless on strand or overhead lines shall be
11 prohibited;

12 d. New wood poles and strand mounts may be
13 allowed by the Director of Public Works if the applicant demonstrates that
14 a wooden pole or strand mount is less impactful (from public safety,
15 visual, or logistic standpoints) at a specific location.

16 D. Height.

17 1. Antenna installations on existing City infrastructure
18 shall not exceed the height of the existing infrastructure piece by more
19 than five and one-half feet (5.5') unless approved by the City Engineer or
20 Director of Public Works after a finding is made that a greater height
21 would promote the aesthetic or safety concerns of the City;

22 2. For antenna(s) proposed for placement on a new pole
23 in the public right-of-way, the height to the top of the highest element shall
24 not exceed the average height of utility poles on the same block as the
25 subject site by more than five and one-half feet (5.5'). In cases of
26 uncertainty, the Director of Public Works shall have the authority to
27 determine the applicable height limit;

28 3. Pole-mounted equipment shall be a minimum of ten

1 feet (10') above level of sidewalk for public safety reasons.

2 E. Design.

3 1. Any pole to be installed in the public right-of-way shall
4 be disguised to resemble a utility pole to the maximum extent possible. All
5 antennas shall be limited to a diameter no more than the widest part of
6 the main pole, excluding its base. All antennas and screening devices
7 shall be painted or finished to match the pole. All pole or equipment shall
8 be painted or otherwise coated, per City standard, to be visually
9 compatible with existing poles and equipment. The installation of new
10 wood poles is not preferred;

11 2. Omnidirectional antenna units and groups of panel
12 antennas shall be placed on the same vertical axis as the center of the
13 pole where feasible. If not feasible, the installation shall utilize brackets
14 and/or cross-arms that allow no more than a six-inch (6") extension
15 (stand-off) from the pole except when additional stand-off is required to
16 comply with health and safety regulations such as GO-95 and OSHA;

17 3. Antenna installations on existing City infrastructure
18 shall be placed in a manner so that the size, appearance and function of
19 the final installation is essentially identical to the installation prior to the
20 antenna installation taking place;

21 4. No faux or otherwise nonfunctioning street lights,
22 decorative elements, signs, clock towers, or artificial trees or shrubs or
23 other such nonfunctioning screening elements made to resemble other
24 objects shall be permitted;

25 5. Wireless telecommunications facility equipment
26 located above the surface grade in the public right-of-way including, but
27 not limited to those on certain street lights, shall consist of small
28 equipment components that are compatible in structure, scale, function

1 and proportion to the poles they are mounted on. Equipment shall be
2 painted or otherwise coated, per City standard (which may include public
3 art), to be visually compatible with the subject pole. Underground vaults
4 shall employ flush-to-grade access portals and vents that are heel shoe
5 safe and slip safe; provided, however, that this restriction shall not apply
6 in flood prone areas. Installations on City-owned or controlled public
7 facilities shall be subject to applicable fees as approved by the City
8 Council;

9 6. Facilities shall be designed to be as visually
10 unobtrusive as possible. Applicant shall size antennas, cabinet equipment
11 and other facilities to minimize visual clutter. Facilities shall be sited to
12 avoid or minimize obstruction of views from public vantage points and
13 otherwise minimize the negative aesthetic impacts of the public right-of-
14 way;

15 7. All cables and conduits shall be routed through the
16 interior of the subject pole; provided, however, that for wood poles all
17 cables and conduits shall be mounted and routed in a manner calculated
18 to minimize their visibility;

19 8. All cables shall be screened from public view.

20 F. Local coastal program requirements. New Wireless
21 Telecommunications Facilities shall comply with all applicable policies,
22 standards, and regulations of the Local Coastal Program (LCP).

23 G. Coastal permit required. The necessary Coastal
24 Development Permit or Local Coastal Development Permit shall be
25 obtained.

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27 Section 15. Subsection 21.56.140.C of the Long Beach Municipal Code is
28 amended to read as follows:

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C. Modifications to Wireless Telecommunications Facilities.

Any modification to a Wireless Telecommunications Facility or co-location facility, including but not limited to, replacement of antennas, installation of additional antennas, installation of additional equipment cabinets, installation of a backup generator, paint or camouflage changes, and other physical changes to the facility, shall require, at a minimum, an administrative approval, and, if necessary, a building permit from the Department of Development Services. Prior to issuance of any approval for modification, the applicant shall submit an application for an administrative review to determine the compliance of the proposed modification with this Chapter and the existing Conditional Use Permit or other entitlement. For sites not located in the public right-of-way, applications for modification will be subject to the standards and procedures set forth for new Wireless Telecommunications Facilities, as specified in Sections 21.56.030 through 21.56.060, if any of the following apply:

1. No Conditional Use Permit was issued for the original Wireless Telecommunications Facility;
2. The Conditional Use Permit for the original Wireless Telecommunications Facility did not allow for future modification or the extent of site improvements involved with the modification project (in this case, an application for a modification to the approved Conditional Use Permit, subject to Planning Commission review, may be substituted for a new Conditional Use Permit); or
3. No environmental review was completed for the location of the original Wireless Telecommunications Facility that addressed the environmental impacts of future modifications (in this case, an application for a modification to the approved Conditional Use Permit,

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 W. Ocean Boulevard, 9th Floor
Long Beach, CA 90802

1 subject to Planning Commission review, may be substituted for a new
2 Conditional Use Permit).

3
4 Section 16. The City Clerk shall certify to the passage of this ordinance by
5 the City Council and cause it to be posted in three (3) conspicuous places in the City of
6 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
7 Mayor.

8 I hereby certify that the foregoing ordinance was adopted by the City
9 Council of the City of Long Beach at its meeting of July 7, 2020, by the
10 following vote:

11
12 Ayes: Councilmembers: Zendejas, Price, Supernaw,
13 Mungo, Andrews, Uranga, Austin,
14 Richardson.

15
16 Noes: Councilmembers: None.

17
18 Absent: Councilmembers: None.

19
20 Recusal(s): Councilmembers: Pearce.

21
22
23 
24 City Clerk

25
26 Approved: 7/8/20
27 (Date)
28 
Mayor