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ORD-27

CHARLES PARKIN
City Attorney

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July 19, 2022

DAWN A. MCINTOSH
Assistant City Attorney

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Declare an Ordinance amending the Long Beach Municipal Code by amending Sections 16.08.023, 16.08.025, 16.08.026, 16.08.140, 16.08.551, 16.08.650(A), 16.12 Title, 16.12.060, 16.12.061, 16.12.162, 16.12.270, 16.12.280; and by repealing Section 16.08.024; relating to Marine Areas and Pacific Ocean Areas, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION

Per the City Council's request on May 24, 2022, we have prepared the attached Ordinance amending the Long Beach Municipal Code Chapter 16.08 relating to marine areas and Chapter 16.12 relating to pacific ocean areas.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

CHARLES PARKIN, City Attorney

By: Anita Lakhani
Deputy City Attorney

AL:vr:kjm

ATTACHMENT: CITY COUNCIL ORDINANCE

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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 SECTIONS 16.08.023, 16.08.025, 16.08.026, 16.08.140, 16.08.551, 16.08.650(A), 16.12 TITLE, 16.12.060, 16.12.061, 16.12.162, 16.12.270, 16.12.280; AND BY REPEALING SECTION 16.08.024; RELATING TO MARINE AREAS AND PACIFIC OCEAN AREAS

WHEREAS, the Long Beach Marina system has seen a wide array of property development across the expanse of the City of Long Beach ("City") coastline;

WHEREAS, this property development and focus on economic growth has led the City's marinas to become the largest municipally operated marina complex in the United States;

WHEREAS, as slip occupancy has surged to near capacity and annual visitors to City's marinas and beachfront reach an all-time high, there are sections of the Long Beach Municipal Code ("LBMC") that govern the marinas and related areas, such as Temporary Mooring Areas, that need to be modified to keep pace with elevated activity and use;

WHEREAS, the LBMC requires amendments in order for regulations to apply to recent land development, such as the South Shore Launch Ramp, and re-development of established property in the case of Golden Shore Small Boat Launch transitioning to the Golden Shore Marine Biological Reserve;

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

Section 1. Section 16.08.023 of the Long Beach Municipal Code is

1 amended to read as follows:

2 16.08.023 Alamitos Bay Marina Slip 3-2.

3 "Alamitos Bay Marina Slip 3-2" means that first forty-five foot (45') slip
4 located northeasterly of Gangway 3, at a point approximately twenty feet (20')
5 north of the building known as 215 North Marina Drive, in Alamitos Bay
6 Marina.

7 Section 2. Section 16.08.025 of the Long Beach Municipal Code is
8 amended to read as follows:

9 16.08.025 Alamitos Marina Slip 13-2.

10 "Alamitos Bay Marina Slip 13-2" means that first thirty foot (30') slip
11 located northeasterly of Gangway 13, at a point approximately eighty feet
12 (80') west of the building known as 241 North Marina Drive, in Alamitos Bay
13 Marina.

14 Section 3. Section 16.08.026 of the Long Beach Municipal Code is
15 amended to read as follows:

16 16.08.026 Alamitos Marina Slip 14-1.

17 "Alamitos Bay Marina Slip 14-1" means that first thirty foot (30') slip
18 located northwesterly of Gangway 14, at a point approximately sixty feet (60')
19 west of the building known as 241 North Marina Drive, in Alamitos Bay
20 Marina.

21 Section 4. Section 16.08.140 of the Long Beach Municipal Code is
22 amended to read as follows:

23 16.08.140 Marinas.

24 "Marinas" means the water areas and public lands and improvements
25 thereon within the Marina Area, Alamitos Bay Marina, Shoreline Marina, the
26 Rainbow Marina, and the Rainbow Harbor and any other marina owned,
27 operated, or controlled by the City.

28 Section 5. Section 16.08.551 of the Long Beach Municipal Code is

1 amended to read as follows:

2 16.08.551 Temporary mooring areas for vessels.

3 Temporary mooring areas for vessels shall be those wharfs, piers,
4 moorings, gangways or docks within the marinas owned by the City; Use of
5 City utilities (Gas, Water, Power) is prohibited at Temporary Mooring Areas
6 unless approved via permit from Director; Wharfs, piers, moorings, gangways
7 or docks owned by the City that are posted and marked for temporary mooring
8 are as follows:

- 9 A. Pierpoint Landing Dock, thirty (30) minutes temporary mooring;
- 10 B. Marina Park Long Dock, thirty (30) minutes temporary mooring;
- 11 C. Davies Long Dock, thirty (30) minutes temporary mooring;
- 12 D. Gangway A Shoreline Marina, thirty (30) minutes temporary
13 mooring, except for the southernmost sixty feet (60') where public
14 mooring is prohibited;
- 15 E. Dock 10, mooring for pump out only on the southernmost eighty
16 feet (80') of dock, and three (3) hour maximum temporary
17 mooring on the remaining two hundred twenty feet (220') in any
18 24-hour calendar day; no consecutive 3-hour mooring between
19 9PM – 3AM allowed;
- 20 F. Alamitos Bay pump out, mooring for the pumping out of the
21 vessel's holding tank only; thirty (30) minute maximum;
- 22 G. Alamitos Bay Landing South Long Dock, three (3) hour maximum
23 temporary mooring in any 24-hour calendar day; no consecutive
24 3-hour mooring between 9PM – 3AM allowed;
- 25 H. Alamitos Bay Landing North Long Dock, three (3) hour maximum
26 temporary mooring in any 24-hour calendar day; no consecutive
27 3-hour mooring between 9PM – 3AM allowed;
- 28 I. Alamitos Bay Marina, Slip 3-2, three (3) hour maximum

- 1 temporary mooring in any 24-hour calendar day; no consecutive
2 3-hour mooring between 9PM – 3AM allowed;
- 3 J. Alamitos Bay Marina, Slip 13-2, three (3) hour maximum
4 temporary mooring in any 24-hour calendar day; no consecutive
5 3-hour mooring between 9PM – 3AM allowed;
- 6 K. Alamitos Bay Marina, Slip 14-1, three (3) hour maximum
7 temporary mooring in any 24-hour calendar day; no consecutive
8 3-hour mooring between 9PM – 3AM allowed;
- 9 L. Alamitos Bay Marina, Harbormaster's Dock, thirty (30) minutes
10 for pumping out of the vessel's holding tank, unless authorized by
11 the Director for marina-related business; and
- 12 M. Rainbow Marina Dock 8, three (3) hour maximum temporary
13 mooring in any 24-hour calendar day; no consecutive 3-hour
14 mooring between 9PM – 3AM allowed.

15 Unauthorized mooring in these areas will result in vessel citation or
16 impound in accordance with Subsection 16.08.300.D and/or Section
17 16.08.810.

18 Section 6. Section 16.08.650(A) of the Long Beach Municipal Code is
19 amended to read as follows:

20 16.08.650 Marina Stadium West.

21 A. The operation of motorboats up to twenty-three feet (23') in
22 length, not including swimstep, for the purpose of water skiing or wake
23 boarding is permitted within areas of Marine Stadium West designated by the
24 Director for that purpose. Within such designated areas, the five (5) mile per
25 hour speed limit shall not be applicable between eight o'clock (8:00) a.m. and
26 sunset during the period of May 1 and September 30, inclusive; between the
27 hours of eight o'clock (8:00) a.m. and sunset on Thursday through Sunday
28 and school holidays during the period of October 1 and April 30, inclusive;

1 between the hours of eight o'clock (8:00) a.m. and four o'clock (4:00) p.m. on
2 Monday through Wednesday, excluding school holidays, during the period of
3 October 1 and April 30, inclusive; and between the hours of six o'clock (6:00)
4 p.m. and sunset on Monday through Wednesday, excluding school holidays,
5 during the period of October 1 and April 30, inclusive; provided, however, no
6 person shall operate any vessel in Marine Stadium West in excess of thirty-
7 five (35) miles per hour.

8 Section 7. The title of Article III of Chapter 16.12 is hereby amended to
9 read as follows:

10 ARTICLE III. SOUTH SHORE SMALL BOAT LAUNCH RAMP, GOLDEN
11 SHORE MARINE BIOLOGICAL RESERVE AND CATALINA LANDING

12 Section 8. Section 16.12.060 of the Long Beach Municipal Code is
13 amended to read as follows:

14 16.12.060 Golden Shore Marine Biological Reserve and Catalina Landing.
15 "Golden Shore Marine Biological Reserve" and "Catalina Landing"
16 mean those areas outlined on Drawing D-504 prepared by the City Engineer,
17 which drawing is on file in the office of the City Clerk.

18 Section 9. Section 16.12.061 of the Long Beach Municipal Code is
19 amended to read as follows:

20 16.12.061 South Shore small boat launching ramp.
21 "South Shore small boat launching ramp" means that area outlined on
22 drawings prepared by the City Engineer, which drawings are on file in the
23 office of the City Clerk.

24 Section 10. Section 16.12.162 of the Long Beach Municipal Code is
25 amended to read as follows:

26 16.12.162 Temporary mooring areas.
27 Temporary mooring areas for vessels shall be those wharfs, piers,
28 moorings, gangways or docks within the near shore ocean areas owned by

1 the City that are posted and marked for temporary vessel mooring as follows:

2 A. South Shore launch ramp docks, thirty (30) minutes.

3 Section 11. Section 16.12.270 of the Long Beach Municipal Code is
4 amended to read as follows:

5 16.12.270 Parking lot areas.

6 A. No person shall park a motor vehicle in the small boat launching
7 ramp parking lot at South Shore unless such vehicle is towing a boat trailer
8 or is carrying a boat. The provisions of this subsection do not apply to a
9 person participating in an organized event under a permit issued by the
10 Marine Bureau.

11 B. No person shall park in either South Shore small boat launching
12 ramp or Catalina Landing or use either of the small boat launching ramp or
13 Catalina Landing facilities except upon payment of a parking fee as
14 prescribed in regulations enacted pursuant to Section 16.08.970. The
15 provisions of this subsection do not apply to a person participating in an
16 organized event under a permit issued by the Marine Bureau.

17 C. No person shall discharge waste material from, sleep in, or
18 store a trailer, camper or other vehicle in the small boat launching ramp and
19 Catalina Landing parking lots.

20 D. The launching ramp and parking lots of either South Shore or
21 Catalina Landing shall be used in accordance with regulations enacted
22 pursuant to Section 16.08.970 and, where applicable, in accordance with the
23 terms and conditions of permits issued by the Marine Bureau.

24 Section 12. Section 16.12.280 of the Long Beach Municipal Code is
25 amended to read as follows:

26 16.12.280 Prohibited Acts.

27 No person shall:

28 A. Operate a boat within the Golden Shore Marine Biological

1 Reserve, South Shore Small Boat Launch or Catalina Landing at a speed in
2 excess of five (5) miles per hour.

3 B. Tow any object, except a disabled vessel, or trail any line within
4 the Golden Shore Marine Biological Reserve or Catalina Landing.

5 C. Fish or swim within the South Shore Small Boat Launch Ramp,
6 Golden Shore Marine Biological Reserve or Catalina Landing.

7 D. Berth a vessel at the South Shore Small Boat Launch Ramp,
8 except for purposes of loading and unloading for periods not to exceed one-
9 half (1/2) hour respectively.

10 E. Leave vessels, trailers or vehicles unattended on the South
11 Shore small boat launch ramp or South Shore small boat launch ramp docks.

12 Section 13. Section 16.08.024 entitled "Alamitos Bay Marina Slip 585" is
13 repealed in its entirety.

14 Section 14. The City Clerk shall certify to the passage of this ordinance by
15 the City Council and cause it to be posted in three (3) conspicuous places in the City of
16 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
17 Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2022, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor