

**OFFICE OF THE CITY ATTORNEY** 

411 W. Ocean Boulevard, 9th Floor Long Beach, CA 90802 Writer's Direct Dial: (562) 570-Facsimile: (562) 436-1579 E-Mail: @longbeach.gov

**ORD-34** 

CHARLES PARKIN City Attorney

August 2, 2022

GARY J. ANDERSON Assistant City Attorney

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 second reading and adopted as read. (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. For this second reading, non-substantive changes have been made to Section 16.08.551 strictly for the purpose of clarifying proper interpretation of the ordinance.

## SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

CHARLES PARKIN, City Attorney

By: Anita Lakhani Deputy City Attorney

AL:bg A22-01604 01417237.DOCX ATTACHMENT: CITY COUNCIL ORDINANCE

1	ORDINANCE NO.
2	
3	AN ORDINANCE OF THE CITY COUNCIL OF THE
4	CITY OF LONG BEACH AMENDING THE LONG BEACH
5	MUNICIPAL CODE BY AMENDING SECTIONS 16.08.023,
6	16.08.025, 16.08.026, 16.08.140, 16.08.551, 16.08.650(A),
7	16.12 TITLE, 16.12.060, 16.12.061, 16.12.162, 16.12.270,
8	16.12.280; AND BY REPEALING SECTION 16.08.024;
9	RELATING TO MARINE AREAS AND PACIFIC OCEAN
10	AREAS
11	
12	WHEREAS, the Long Beach Marina system has seen a wide array of
13	property development across the expanse of the City of Long Beach ("City") coastline;
14	WHEREAS, this property development and focus on economic growth has
15	led the City's marinas to become the largest municipally operated marina complex in the
16	United States;
17	WHEREAS, as slip occupancy has surged to near capacity and annual
18	visitors to City's marinas and beachfront reach an all-time high, there are sections of the
19	Long Beach Municipal Code ("LBMC") that govern the marinas and related areas, such as
20	Temporary Mooring Areas, that need to be modified to keep pace with elevated activity
21	and use;
22	WHEREAS, the LBMC requires amendments in order for regulations to apply
23	to recent land development, such as the South Shore Launch Ramp, and re-development
24	of established property in the case of Golden Shore Small Boat Launch transitioning to the
25	Golden Shore Marine Biological Reserve;
26	NOW, THEREFORE, the City Council of the City of Long Beach ordains as
27	follows:
28	Section 1. Section 16.08.023 of the Long Beach Municipal Code is
	1 AL:vr:kjm A22-01604 (07-22-2022) 01417236.DOCX

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OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 411 W. Ocean Boulevard, 9th Floor Long Beach. CA 90802 16.08.023 Alamitos Bay Marina Slip 3-2.

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

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

16.08.025 Alamitos Marina Slip 13-2.

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

Section 3. Section 16.08.026 of the Long Beach Municipal Code isamended to read as follows:

16.08.026 Alamitos Marina Slip 14-1.

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

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

16.08.140 Marinas.

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

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

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OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attomey 411 W. Ocean Boulevard, 9th Floor Long Beach. CA 90802 16.08.551 Temporary mooring areas for vessels.

Temporary mooring areas for vessels shall be those wharfs, piers, moorings, gangways or docks within the marinas owned by the City; Use of City utilities (Gas, Water, Power) is prohibited at Temporary Mooring Areas unless approved <u>via\_by a</u> permit from Director; Wharfs, piers, moorings, gangways or docks owned by the City that are posted and marked for temporary mooring are as follows:

- A. Pierpoint Landing Dock, thirty (30) minutes temporary mooring;
- B. Marina Park Long Dock, thirty (30) minutes temporary mooring;
- C. Davies Long Dock, thirty (30) minutes temporary mooring;
- D. Gangway A Shoreline Marina, thirty (30) minutes temporary mooring, except for the southernmost sixty feet (60') where public mooring is prohibited;
- E. Dock 10, mooring for pump out only on the southernmost eighty feet (80') of dock, and three (3) hour maximum temporary mooring on the remaining two hundred twenty feet (220') in any 24-hour calendar day; no consecutive 3-hour mooring between 9PM 3AM allowed within any 24-hour period;
- F. Alamitos Bay pump out, mooring for the pumping out of the vessel's holding tank only; thirty (30) minute maximum;
- G. Alamitos Bay Landing South Long Dock, three (3) hour maximum temporary mooring in any 24-hour calendar day; no consecutive 3-hour mooring between 9PM 3AM allowed within any 24-hour period;
- H. Alamitos Bay Landing North Long Dock, three (3) hour maximum temporary mooring in any 24-hour calendar day; no consecutive 3-hour mooring between 9PM 3AM allowed within any 24-hour

<u>period;</u>

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

Unauthorized mooring in these areas will result in vessel citation or impound in accordance with Subsection 16.08.300(-D) and/or Section 16.08.810.

23 Section 6. Section 16.08.650(A) of the Long Beach Municipal Code is 24 amended to read as follows:

16.08.650 Marina Stadium West.

A. The operation of motorboats up to twenty-three feet (23') in
length, not including swimstep, for the purpose of water skiing or wake
boarding is permitted within areas of Marine Stadium West designated by the

Director for that purpose. Within such designated areas, the five (5) mile per hour speed limit shall not be applicable between eight o'clock (8:00) a.m. and sunset during the period of May 1 and September 30, inclusive; between the hours of eight o'clock (8:00) a.m. and sunset on Thursday through Sunday and school holidays during the period of October 1 and April 30, inclusive; between the hours of eight o'clock (8:00) a.m. and four o'clock (4:00) p.m. on Monday through Wednesday, excluding school holidays, during the period of October 1 and April 30, inclusive; and between the hours of six o'clock (6:00) p.m. and sunset on Monday through Wednesday, excluding school holidays, during the period of October 1 and April 30, inclusive; provided, however, no person shall operate any vessel in Marine Stadium West in excess of thirtyfive (35) miles per hour.

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

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 ARTICLE III. SOUTH SHORE SMALL BOAT LAUNCH RAMP, GOLDEN

 16
 SHORE MARINE BIOLOGICAL RESERVE AND CATALINA LANDING

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

19 16.12.060 Golden Shore Marine Biological Reserve and Catalina Landing.
20 "Golden Shore Marine Biological Reserve" and "Catalina Landing"
21 mean those areas outlined on Drawing D-504 prepared by the City Engineer,
22 which drawing is on file in the office of the City Clerk.

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

16.12.061 South Shore small boat launching ramp.

26 "South Shore small boat launching ramp" means that area outlined on
27 drawings prepared by the City Engineer, which drawings are on file in the
28 office of the City Clerk.

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

16.12.162 Temporary mooring areas.

Temporary mooring areas for vessels shall be those wharfs, piers, moorings, gangways or docks within the near shore ocean areas owned by the City that are posted and marked for temporary vessel mooring as follows:

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

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

16.12.270 Parking lot areas.

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

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

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

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

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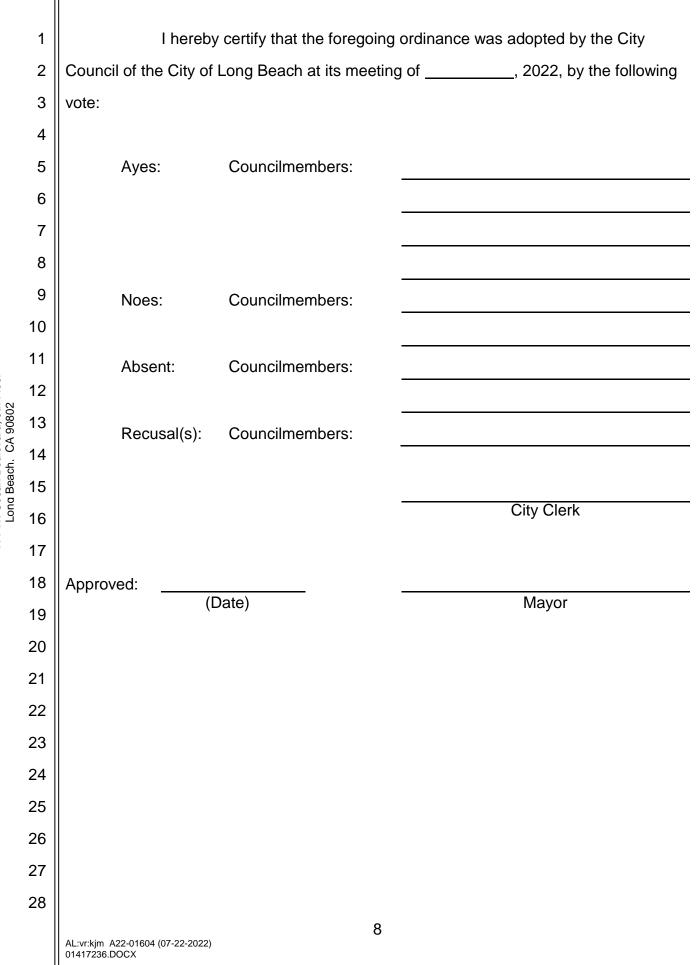
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Section 12. Section 16.12.280 of the Long Beach Municipal Code is 1 2 amended to read as follows: 3 16.12.280 Prohibited Acts. 4 No person shall: 5 Α. Operate a boat within the Golden Shore Marine Biological Reserve, South Shore Small Boat Launch or Catalina Landing at a speed in 6 7 excess of five (5) miles per hour. Tow any object, except a disabled vessel, or trail any line within 8 Β. 9 the Golden Shore Marine Biological Reserve or Catalina Landing. 10 C. Fish or swim within the South Shore Small Boat Launch Ramp, 11 Golden Shore Marine Biological Reserve or Catalina Landing. 12 D. Berth a vessel at the South Shore Small Boat Launch Ramp, 13 except for purposes of loading and unloading for periods not to exceed one-14 half (1/2) hour respectively. Ε. 15 Leave vessels, trailers or vehicles unattended on the South 16 Shore small boat launch ramp or South Shore small boat launch ramp docks. 17 Section 13. Section 16.08.024 entitled "Alamitos Bay Marina Slip 585" is 18 repealed in its entirety. 19 Section 14. 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 20 21 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the 22 Mayor. 23 // 24 // 25 26 27 28 7 AL:vr:kjm A22-01604 (07-22-2022)

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7	16.12 TITLE, 16.12.060, 16.12.061, 16.12.162, 16.12.270,
8	16.12.280; AND BY REPEALING SECTION 16.08.024;
9	RELATING TO MARINE AREAS AND PACIFIC OCEAN
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12	WHEREAS, the Long Beach Marina system has seen a wide array of
13	property development across the expanse of the City of Long Beach ("City") coastline;
14	WHEREAS, this property development and focus on economic growth has
15	led the City's marinas to become the largest municipally operated marina complex in the
16	United States;
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18	visitors to City's marinas and beachfront reach an all-time high, there are sections of the
19	Long Beach Municipal Code ("LBMC") that govern the marinas and related areas, such as
20	Temporary Mooring Areas, that need to be modified to keep pace with elevated activity
21	and use;
22	WHEREAS, the LBMC requires amendments in order for regulations to apply
23	to recent land development, such as the South Shore Launch Ramp, and re-development
24	of established property in the case of Golden Shore Small Boat Launch transitioning to the
25	Golden Shore Marine Biological Reserve;
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27	follows:
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16.08.023 Alamitos Bay Marina Slip 3-2.

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

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

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- C. Davies Long Dock, thirty (30) minutes temporary mooring;
- D. Gangway A Shoreline Marina, thirty (30) minutes temporary mooring, except for the southernmost sixty feet (60') where public mooring is prohibited;
- E. Dock 10, mooring for pump out only on the southernmost eighty feet (80') of dock, and three (3) hour maximum temporary mooring on the remaining two hundred twenty feet (220') within any 24-hour period;
- F. Alamitos Bay pump out, mooring for the pumping out of the vessel's holding tank only; thirty (30) minute maximum;
- G. Alamitos Bay Landing South Long Dock, three (3) hour maximum temporary mooring within any 24-hour period;
- H. Alamitos Bay Landing North Long Dock, three (3) hour maximum temporary mooring within any 24-hour period;
- I. Alamitos Bay Marina, Slip 3-2, three (3) hour maximum temporary mooring within any 24-hour period;
  - J. Alamitos Bay Marina, Slip 13-2, three (3) hour maximum temporary mooring within any 24-hour period;

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K. Alamitos Bay Marina, Slip 14-1, three (3) hour maximum temporary mooring within any 24-hour period;

L. Alamitos Bay Marina, Harbormaster's Dock, thirty (30) minutes for pumping out of the vessel's holding tank, unless authorized by the Director for marina-related business; and

M. Rainbow Marina Dock 8, three (3) hour maximum temporary mooring within any 24-hour period.

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

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

16.08.650 Marina Stadium West.

Α. The operation of motorboats up to twenty-three feet (23') in length, not including swimstep, for the purpose of water skiing or wake boarding is permitted within areas of Marine Stadium West designated by the Director for that purpose. Within such designated areas, the five (5) mile per hour speed limit shall not be applicable between eight o'clock (8:00) a.m. and sunset during the period of May 1 and September 30, inclusive; between the hours of eight o'clock (8:00) a.m. and sunset on Thursday through Sunday and school holidays during the period of October 1 and April 30, inclusive; between the hours of eight o'clock (8:00) a.m. and four o'clock (4:00) p.m. on Monday through Wednesday, excluding school holidays, during the period of October 1 and April 30, inclusive; and between the hours of six o'clock (6:00) p.m. and sunset on Monday through Wednesday, excluding school holidays, during the period of October 1 and April 30, inclusive; provided, however, no person shall operate any vessel in Marine Stadium West in excess of thirtyfive (35) miles per hour.

Section 7. The title of Article III of Chapter 16.12 is hereby amended to 1 2 read as follows: 3 ARTICLE III. SOUTH SHORE SMALL BOAT LAUNCH RAMP, GOLDEN SHORE MARINE BIOLOGICAL RESERVE AND CATALINA LANDING 4 5 Section 8. Section 16.12.060 of the Long Beach Municipal Code is amended to read as follows: 6 7 Golden Shore Marine Biological Reserve and Catalina Landing. 16.12.060 8 "Golden Shore Marine Biological Reserve" and "Catalina Landing" 9 mean those areas outlined on Drawing D-504 prepared by the City Engineer, 10 which drawing is on file in the office of the City Clerk. 11 Section 9. Section 16.12.061 of the Long Beach Municipal Code is 12 amended to read as follows: 13 16.12.061 South Shore small boat launching ramp. 14 "South Shore small boat launching ramp" means that area outlined on 15 drawings prepared by the City Engineer, which drawings are on file in the 16 office of the City Clerk. 17 Section 10. Section 16.12.162 of the Long Beach Municipal Code is 18 amended to read as follows: 19 16.12.162 Temporary mooring areas. 20 Temporary mooring areas for vessels shall be those wharfs, piers, 21 moorings, gangways or docks within the near shore ocean areas owned by 22 the City that are posted and marked for temporary vessel mooring as follows: 23 South Shore launch ramp docks, thirty (30) minutes. Α. 24 Section 11. Section 16.12.270 of the Long Beach Municipal Code is 25 amended to read as follows: 26 Parking lot areas. 16.12.270 27 A. No person shall park a motor vehicle in the small boat launching 28 ramp parking lot at South Shore unless such vehicle is towing a boat trailer 5 AL:kjm A22-01604 (07-22-2022) 01417254.DOCX

or is carrying a boat. The provisions of this subsection do not apply to a person participating in an organized event under a permit issued by the Marine Bureau.

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

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

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

17Section 12.Section 16.12.280 of the Long Beach Municipal Code is18amended to read as follows:

16.12.280 Prohibited Acts.

No person shall:

A. Operate a boat within the Golden Shore Marine Biological Reserve, South Shore Small Boat Launch or Catalina Landing at a speed in excess of five (5) miles per hour.

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

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

D. Berth a vessel at the South Shore Small Boat Launch Ramp,

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	1	except for purposes of loading and unloading for periods not to exceed one-
	2	half (1/2) hour respectively.
	3	E. Leave vessels, trailers or vehicles unattended on the South
	4	Shore small boat launch ramp or South Shore small boat launch ramp docks.
	5	Section 13. Section 16.08.024 entitled "Alamitos Bay Marina Slip 585" is
	6	repealed in its entirety.
	7	Section 14. The City Clerk shall certify to the passage of this ordinance by
	8	the City Council and cause it to be posted in three (3) conspicuous places in the City of
	9	Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
	10	Mayor.
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