

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING TABLE 21.32 IN
CHAPTER 21.32, AND TABLE 34-1 IN CHAPTER 21.34;
AND BY ADDING SECTIONS 21.15.3155 AND 21.51.294,
ALL RELATED TO UNATTENDED STORAGE BOXES

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

Section 1. Table 32-1 of Chapter 21.32 of the Long Beach Municipal
Code is amended to read as shown on Exhibit "A."

Section 2. Table 34-1 of Chapter 21.34 of the Long Beach Municipal
Code is amended to read as shown on Exhibit "B."

Section 3. The Long Beach Municipal Code is amended by adding
Section 21.15.3155 to read as follows:

21.15.3155 "Unattended Donation Box" means any unstaffed drop-
off box, container, receptacle, or similar device that is used for soliciting
and collecting donations of clothing or other salvageable personal property.
This term does not include recycle bins for the collection of recyclable
material (such as beverage containers) governed or regulated by the
Zoning Code.

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1 Section 4. The Long Beach Municipal Code is amended by adding
2 Section 21.51.294 to read as follows:

3 21.51.294 Unattended Donation Box (UDB).

4 An Unattended Donation Box (UDB) is permitted as an accessory
5 use to an existing nonresidential activity on the same site provided it meets
6 the following standards:

7 A. Permit Required.

8 1. An UDB permit is required for an unattended donation
9 box (UDB). A permit is not required for UDBs that are enclosed within a
10 principal building or are accessory to a principal activity on a property
11 owned or leased by the box operator. However, all UDBs shall meet all
12 other requirements of Chapter 21.51.294.

13 2. One UDB is permitted per site. A second UDB may be
14 allowed if documented evidence is submitted that a second box is required
15 due to the volume of items delivered to the site. A UDB must be operating
16 at a site for at least ninety (90) days in order to establish that a second box
17 is required for overflow items, and after pick-up has been increased to a
18 daily basis.

19 3. The UDB permit shall require the property owner's
20 approval.

21 4. The UDB permit applicant shall be the UDB operator
22 and the permit may not be transferred, conveyed or otherwise assigned to
23 another person or entity.

24 5. The UDB permit applicant shall have an active City
25 Business License.

26 B. Location.

27 1. An UDB shall not be located on a vacant lot.

28 2. No UDB shall be located within one thousand feet

(1,000') from any other UDB, except secondary boxes permitted for overflow donations on the same site.

3. No UDB shall be located within required areas of landscaping, parking spaces, drive aisles, walkways, handicapped accessibility routes, building ingress and egress, easements, trash enclosures or waste disposal areas or the public right-of-way.

4. UDBs shall have a minimum setback of twenty (20) feet from the public right-of-way and five feet (5') from any property line, or meet the setback requirements of the underlying zone, whichever is greater.

5. The donation/collection area shall have a clear line of site from the principal building located on the property or the public right-of-way.

6. UDBs shall be located within ten feet (10') of a dusk to dawn photocell-controlled light source of at least one foot (1') candle. If security is determined to be an issue, a greater foot candle may be utilized, provided lights are directed and shielded to prevent light and glare from intruding onto adjacent sites.

C. Standards.

1. UDBs shall be constructed of durable and waterproof materials.

2. UDBs shall be placed on a paved surface.

3. Maximum height is six feet (6').

4. Maximum floor area is twenty-five square feet (25 sq.ft) (25 x 6 = 150 cubic feet).

5. UDBs shall have a tamper-resistant locking mechanism for all collection openings.

D. Signage.

1. UDBs shall have contact information, including the

1 name, address, email and phone number of both the operator and parcel
2 owner/owner agent, posted on the box in a conspicuous location.

3 2. UDBs shall identify the type of material that may be
4 deposited and post a pick-up schedule on the box.

5 3. If applicable, the UDB shall identify the charitable
6 cause that will benefit from the donations and the Federal Tax identification
7 number of the nonprofit organization.

8 4. The property containing the UDB shall display a sign
9 not to exceed ten square feet (10 sq.ft.) with text in at least two-inch (2")
10 typeface stating that no material shall be left outside of the UDB. This sign
11 shall be placed in a visually conspicuous location within a radius of twenty
12 feet (20') from the UDB.

13 E. Maintenance.

14 1. The site shall be maintained to be free of blight,
15 including but not limited to donation/collection overflow, litter, debris and
16 dumped material.

17 2. The UDB shall be maintained, free of damage, holes,
18 rust, graffiti and be in good working order.

19 3. The UDB shall be serviced per schedule posted on the
20 box. This servicing shall include the removal of donated/collected material
21 and abatement of any blight. Additional pick-ups may be required if
22 overflow or blight conditions are found to exist.

23 4. Hours of servicing UDBs shall be between 7:00 a.m.
24 and 7:00 p.m., Monday through Friday, and between 10:00 a.m. and 6:00
25 p.m. on weekends.

26 5. The UDB operator shall maintain an active email
27 address and a 24-hour telephone service with recording capability for the
28 public to register complaints. This contact information shall be posted on

1 the UDB.

2 F. Violations.

3 If an UDB is found to be in violation of Chapter 21.51.294, and the
4 operator does not remedy the violation upon notification from the City, the
5 UDB can be deemed a public nuisance per Chapter 21.10.090.

6
7 Section 5. 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.

11 I hereby certify that the foregoing ordinance was adopted by the City
12 Council of the City of Long Beach at its meeting of _____, 2017,
13 by the following vote:

14 Ayes: Councilmembers: _____

15 _____

16 _____

17 _____

18 Noes: Councilmembers: _____

19 _____

20 Absent: Councilmembers: _____

21 _____

22
23
24 _____
City Clerk

25
26
27 Approved: _____
(Date)

28 _____
Mayor

Table 32-1
Uses In All Other Commercial Zoning Districts

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Unattended Donation Box	A	A	A	A	A	A	A	A	A	Subject to accessory use standards (see Section 21.51.294). Unattended Donation Box shall be permitted in all Planned Development (PD) Districts and Specific Plan (SP) Districts allowing commercial uses, subject to Section 21.51.294.

**Table 34-1
Uses in the
Institutional District**

	Use	District I
1.	Arboretum, botanical gardens or nurseries	Y
2.	Cafeterias and restaurants	A
3	Caretaker's residence	AP
4.	Carnival, fiesta, or similar exhibition or celebration	T
5.	Cemeteries (Crematorium as accessory)	C
6.	Churches	Y
7.	Colleges, universities and vocational training centers	Y
8.	Commercial uses (as principal use)	N
9.	Construction trailer	T
10.	Convention and exhibition centers	Y
11.	Country clubs (with golf course)	Y
12.	Cultural centers	Y
13.	Daycare/preschool	Y
14.	Fire stations	Y
15.	Government offices	Y
16.	Hall rental	C
17.	Handicapped and senior citizen housing	C
18.	Historical landmarks, memorials and monuments	Y

19.	Hospitals, medical centers, medical office complexes, convalescent hospitals	Y
20.	Interim storage of vehicles and service yard (2 years)	C
21.	Libraries	Y
22.	Manufacturing	N
23.	Marinas	Y
24.	Off-premises signs	N
25.	Outdoor sales events (see Section 21.52.256)	C
26.	Museums	Y
27.	Parking (commercial)	C
28.	Parking (courtesy)	A
29.	Pistol or rifle range	C
30.	Police station	Y
31.	Police training academy	C
32.	Recreational facility	A
33.	Residential - single-family	Y
34.	Residential - multiple-family	N
35.	Sale of alcoholic beverage	C
36.	Schools (public or private, excluding vocational schools)	Y
37.	Schools (vocational)	N

**Table 34-1
Uses in the
Institutional District
(Continued)**

	Use	District I
38.	Social service office of nonprofit organization	Y
39.	Special group residence (communal, board and care, etc.)	C
40.	Stadium	C
41.	Trailer used for office or nightwatchman's quarters	T
42.	Unattended Donation Box	A
43.	Water tanks	Y
44.	Wireless Telecommunications Facilities (see Chapter 21.56)	C

Abbreviations: Y = Permitted.

N = Not permitted

C = Conditional use permit required. Refer to Chapter 21.52.

A = Permitted as an accessory use. Special conditions may apply. Refer to Chapter 21.51.

T = Permitted as a temporary use subject to the requirements of Chapter 21.53 of this Title.

AP = Permitted with an administrative use permit.