



Legislation Text

File #: 20-0587, **Version:** 2

Recommendation to declare ordinance 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, read and adopted as read. (Citywide)

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-18-015 adopted on July 10, 2018) and directed staff to submit the aforementioned Ordinances to the California Coastal Commission for certification. In accordance with the 1976 California Coastal Act, the City of Long Beach (City) has a certified Local Coastal Program (LCP), 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 Implementation Plan, must be certified by the California Coastal Commission.

The Ordinances were submitted as a LCP amendment to the California Coastal Commission on December 28, 2018 for certification. On February 12, 2020, the California Coastal Commission considered the LCP amendment and took action to approve 14 modifications (Attachment A).

The proposed modifications made by the California Coastal Commission are intended to provide consistency with the LCP and California Coastal Act and consist of the following types of changes:

- Expanding the categories of development projects that require a Local Coastal Development and procedures for exclusion of development from Coastal Development Permits.
- Expanding findings for approval of a Local Coastal Development Program for coastal resource protections.
- Clarifying permitting requirements in the Coastal Zone.
- Correcting of typographical errors and updating references.
- Clarifying that wireless telecommunication facilities in the Coastal Zone may require a

Coastal Development Permit.

- Retaining regulations of wireless telecommunication facilities in the public right-of-way within Title 21.
- Eliminating references to Long Beach Municipal Code sections that are not part of the certified LCP and clarifying that other references to Title 5 - Regulations of Businesses, Trades and Professions are not included for certification.

For the LCP amendment to be certified by the California Coastal Commission, the City Council must now take action to accept the modifications (Attachment B). If approved, the Ordinance will be forwarded to the California Coastal Commission for final approval.

Public hearing notices were published in the Long Beach Press-Telegram on June 8, 2020, no responses were received as of the date of preparation of this report.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.9 and CEQA Section 156265(a)(1) the proposed modifications are statutorily exempt. CEQA does not apply to activities and approvals by the City necessary for the preparation and adoption of an LCP amendment. The proposed modifications are necessary for certification of the LCP amendment by the California Coastal Commission.

This matter was reviewed by Assistant City Attorney Michael J. Mais on June 1, 2020 and by Budget Management Officer Rhutu Amin Gharib on June 5, 2020.

City Council action is requested on June 23, 2020, to comply with the California Coastal Act requirement that the City complete the adoption of the suggested modifications within six months of the California Coastal Commission's February 20, 2020 action.

There is no fiscal impact associated with this recommendation. This recommendation has no staffing impact beyond the budgeted scope of duties and is consistent with existing City Council priorities.

Approve recommendation.

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

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APPROVED:

THOMAS B. MODICA
ACTING CITY MANAGER