

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO. RES-10-0117

A RESOLUTION OF THE CITY OF LONG BEACH
AUTHORIZING THE DIRECTOR OF DEVELOPMENT
SERVICES TO SUBMIT AMENDMENTS TO THE LONG
BEACH ZONING REGULATIONS TO THE CALIFORNIA
COASTAL COMMISSION FOR APPROVAL

WHEREAS, on October 12, 2010, the City Council of the City of Long
Beach amended certain provisions of the Long Beach Zoning Regulations of the City of
Long Beach related to amendments to Title 21 of the Long Beach Municipal Code
amending Landscaping Standards; and

WHEREAS, it is the desire of the City Council to submit the above
referenced zoning regulation amendments to the California Coastal Commission for its
review; and

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

WHEREAS, the City Council approved the proposed amendments to the
zoning regulations by adopting Landscaping Standards. The proposed zoning regulation
amendments are to be carried out in a manner fully consistent with the Coastal Act and
become effective in the Coastal Zone immediately upon Coastal Commission
certification; and

WHEREAS, environmental documentation has been prepared, certified,
received and considered as required by law, and the City Council hereby finds that the
proposed amendments will not adversely affect the character, livability or appropriate
development of the surrounding properties and that the amendments are consistent with
the goals, objectives and provisions of the General Plan;

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1 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
2 follows:

3 Section 1. The amendment to the Long Beach Zoning Regulations of the
4 City of Long Beach adopted on October 12, 2010, by Ordinance No.
5 ORD-10-0031, a copy of which is attached to and incorporated in this resolution
6 as Exhibit "A", is hereby submitted to the California Coastal Commission for its earliest
7 review as to that part of the ordinance that directly affects land use matters in that portion
8 of the California Coastal Zone within the City of Long Beach.

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

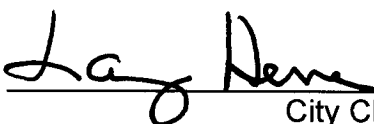
16 Section. 3. This resolution shall take effect immediately upon its adoption
17 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

18 I certify that this resolution was adopted by the City Council of the City of
19 Long Beach at its meeting of October 5, 2010, by the following vote:

20 Ayes: Councilmembers: Lowenthal, DeLong, O'Donnell, Schipske,
21 Andrews, Johnson, Gabelich.

22
23 Noes: Councilmembers: None.

24
25 Absent: Councilmembers: Garcia, Neal.

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City Clerk

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4. Parking Structures. All sides of a parking structure abutting a public street shall be screened by trees, vines or other decorative screening approved by the Director of Development Services. See Chapter 21.42 for additional requirements.

Section 3. Section 21.33.145 of the Long Beach Municipal Code is amended as follows:

21.33.145 Parking areas abutting streets.

Wherever a parking area abuts a property line adjacent to a street, a five-foot (5') wide landscaped strip shall be provided between the parking area and the property line abutting the public right-of-way. See Chapter 21.42 for additional requirements.

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Section 4. Table 33-4 of Section 21.33 of the Long Beach

Municipal Code is amended as follows:

Table 33-4

Minimum Required Setbacks/Yards Areas

Required Setback/Yard Area	IL	IM	IG	IP
Yard Fronting on Minor Arterial or Greater Street Classification	10 ft	10 ft	10 ft	10 ft
Yard Fronting on Local or Collector Street	6 ft	0 ft	0 ft	0 ft
Parking Lot Setback for Yard Fronting on a Street	5 ft (a)	5 ft (a)	5 ft (a)	5 ft (a)
Yard Abutting Alleys	10 ft from centerline	10 ft from centerline	10 ft from centerline	10 ft from centerline
Yards Abutting Residential District	20 ft	45 ft	45 ft	No restriction
Yards Abutting Nonresidential District	0 ft (b)	0 ft (b)	0 ft (b)	0 ft (b)

Notes:

- (a) See also Section 21.33.145
- (b) Separation between buildings on adjacent lots shall be provided as required by the Fire Code and Uniform Building Code, or any successor Code.

Section 5. Subsection 21.38.245 of the Long Beach Municipal

Code is amended as follows:

The area between any corral or stable and any property line shall be landscaped and maintained in a neat and healthy condition. One (1) fifteen (15) gallon tree shall be planted for each thirty (30) linear feet of property line adjoining a public right-of-way. See Chapter 21.42 for additional landscaping requirements.

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1 Section 6. Chapter 21.42 of the Long Beach Municipal Code is
2 hereby amended to read as follows:

3 Chapter 21.42
4 Landscaping Standards

5
6 21.42.010 Purpose.

7 Landscapes are intended to improve the physical appearance of
8 the City by providing visual, ecological, and psychological relief in the
9 urban environment. Successfully designed and maintained landscape
10 areas provide an attractive living, working, and recreating environment in
11 addition to their role in reducing water and energy consumption.

12
13 21.42.020 Landscaping required.

14 The provisions of this Chapter shall be the minimum requirements
15 for the provision and maintenance of landscaped areas.

16
17 21.42.030 General requirements.

18 The following requirements shall apply to all zoning districts:

19 A. Landscaped Area. All required yards and setback areas
20 shall be attractively landscaped primarily with drought tolerant and native
21 plant materials. Decorative non-living materials such as brick, stone, art,
22 fountains and ponds may be used within the landscaped area provided
23 such materials present an attractive setting consistent with the intent of
24 these landscaping requirements. All landscape areas shall be completely
25 planted or covered. "Landscape area" means all the planting areas, turf
26 areas, and water features in a landscape design plan subject to the
27 Maximum Applied Water Allowance calculation. The landscape area
28 does not include footprints of buildings or structures, sidewalks,

1 driveways, parking lots, decks, patios, and other non-irrigated areas
2 designated for non-development.

3 1. A minimum of ninety percent (90%) of total landscape
4 area shall consist of very low to low water usage plantings based on plant
5 species classifications provided by the State's Water Use Classifications
6 of Landscape Species (WUCOLS) document. Planted areas containing
7 less than ninety percent (90%) of land covered with very low to low water
8 use planting shall require submittal of a complete Landscape Document
9 Package showing the Estimated Total Water Usage (ETWU) of all
10 proposed plantings falling below the property's specific Maximum Applied
11 Water Allowance (MAWA), as specified in the Landscape Document
12 Package application.

13 2. Non-permeable paving shall not cover more than
14 thirty percent (30%) of on-site area that is not covered by structures and
15 parking. To help with on site stormwater retention and filtration along with
16 reducing the urban heat island effect, the use of permeable and high
17 reflectance paving materials are encouraged.

18 3. Water-efficient landscape irrigation systems on
19 automated timers and sensors shall be used and abide by all applicable
20 Long Beach Water Department water use prohibitions.

21 4. Large canopy trees shall be used to help minimize
22 urban heat island effect.

23 5. Projects shall be designed to minimize or eliminate
24 use of turf.

25 6. Recirculating water systems shall be used with
26 decorative water features. Where available, recycled water shall be used
27 as a water source.

28 7. Plants with similar water needs shall be planted

1 together.

2 8. The use of infiltration beds, swales, and basins that
3 allow water to collect and soak into the ground; and retention ponds that
4 retain water, handle excess flow and filter pollutants are highly
5 encouraged in the landscape design.

6 B. Maintenance. All landscaped and paved areas shall be
7 maintained in a neat, attractive, orderly and water efficient condition. All
8 paved areas, walls and fences shall be in good repair without broken
9 parts, holes or litter. Dead or diseased plants shall be removed and
10 replaced with plant materials that comply with the provisions of this
11 Chapter.

12 C. Plans Required. When applicable, a Landscape Document
13 Package shall be approved prior to the issuance of any planning or
14 building permit. For projects proposing landscape area coverage with a
15 minimum of ninety percent (90%) very low to low water use plantings,
16 ETWU and MAWA calculations are not required in the Landscape
17 Document Package submittal. Applicable landscaping, irrigation, planter
18 drainage, water reuse, retention and filtration improvements shall be
19 implemented before any final building and planning inspection is
20 approved.

21
22 21.42.035 Special requirements for Water Efficient Landscaping.

23 A. Applicability.

24 1. The requirements of this Chapter shall apply to the
25 following projects:

- 26 a. All projects which require the issuance of a
27 Site Plan Review;
28 b. New construction and rehabilitated landscapes

1 for public agency projects and private development projects with a
2 landscape area equal to or greater than two thousand five hundred
3 (2,500) square feet requiring a building or landscape permit, plan check or
4 design review;

5 c. New construction and rehabilitated landscapes
6 which are developer-installed in single-family and multi-family projects
7 with a landscape area equal to or greater than two thousand five hundred
8 (2,500) square feet requiring a building or landscape permit, plan check,
9 or design review;

10 d. New construction landscapes which are
11 homeowner-provided and/or homeowner-hired in single-family and multi-
12 family residential projects with a total project landscape area equal to or
13 greater than five thousand (5,000) square feet requiring a building or
14 landscape permit, plan check or design review;

15 e. Cemeteries. Recognizing the special
16 landscape management needs of cemeteries, new and rehabilitated
17 cemeteries are limited to Sections 492.4, 492.11 and 492.12; and existing
18 cemeteries are limited to Sections 493, 493.1 and 493.2 of the California
19 Code of Regulations Title 23, Chapter 2.7, Model Water Efficient
20 Landscape Ordinance;

21 f. Existing landscapes are limited to Sections
22 493, 493.1 and 493.2 of the California Code of Regulations Title 23,
23 Chapter 2.7, Model Water Efficient Landscape Ordinance; and

24 g. Public facilities and public right-of-way.

25 2. The requirements of this Chapter shall not apply to
26 the following projects:

27 a. Registered local, state or federal historical
28 sites;

1 shall be landscaped unless used for a permitted use.

2 B. Landscape Area Requirements. A minimum number of
3 plants shall be provided as follows:

4 1. On-Site Street Frontage.

5 a. Within the required setback area along all
6 street frontages, except at driveways, a minimum five-foot (5') wide
7 landscaping strip (inside dimension to planter) shall be provided. This
8 area shall be landscaped with one (1) tree for each fifteen (15) linear feet
9 of street frontage and three (3) shrubs for each tree.

10 b. Sites with more than one hundred feet (100') of
11 street frontage shall also provide one (1) tree of not less than thirty-six
12 inch (36") box size for each one hundred feet (100') of street frontage.

13 c. Planters. All on-site landscaped areas
14 adjoining the public right-of-way shall be located in planters not less than
15 three inches (3") high. The planters shall be designed to drain back onto
16 the private property and not directly onto the public right-of-way. When
17 required, tree-wells shall be sized to allow full growth of proposed trees
18 within the public right-of-way.

19 2. Parking Lots.

20 a. One (1) canopy tree shall be provided for each
21 four (4) open parking spaces. Trees may be clustered provided the fifty
22 percent (50%) tree canopy shade coverage of all parking stall and related
23 drive aisle areas, after ten (10) years of growth, is achieved. A minimum
24 of one (1) cluster for each one hundred feet (100') of a row or double row
25 of parking spaces shall be provided.

26 b. A minimum four foot (4') by four foot (4')
27 planter size shall be provided to allow full growth of proposed trees.

28 c. Screening Required. A three-foot (3') tall

1 masonry wall, landscaped berm, or hedge shall be provided in the event
2 parking areas abut a street frontage. See Section 21.41.266.C for
3 requirements.

4 d. Wheel Stops. No vehicles shall be permitted
5 to overhang required landscaped areas behind wheel stops. See Section
6 21.41.269 for requirements.

7 3. Parking Structures.

8 a. An attractive six-foot (6') wide landscaping
9 strip shall be provided on all sides of the structure except at driveways
10 and walkways. One (1) tree shall be provided for each twenty feet (20') of
11 perimeter of the structure in addition to required screening when abutting
12 a residential district, school, or a street frontage. Trees bordering the
13 parking structure shall be of a species that will obtain a mature height of
14 not less than the height of the structure. The trees shall be of a species
15 or shall be located or trimmed in such a way as to prevent people from
16 using them to gain unauthorized access to otherwise secured areas.

17 b. Abutting Residential Zone, School, or Public
18 Street. All sides of a parking structure abutting a residential zone, school
19 or public street shall be screened by vines or other decorative screen
20 approved by the Director of Development Services.

21 c. Wheel Stops. No vehicles shall be permitted
22 to overhang required landscape areas behind wheel stops. See Section
23 21.41.269 for requirements.

24 4. Yards and Parking Lots Near Residential District and
25 Schools.

26 a. Residential (R-3, R-4), Commercial, Mixed-
27 Use, and Light Industrial (IL) Districts. A minimum five-foot (5') wide
28 landscaped strip shall be provided as a buffer along all yard areas

1 abutting or adjacent to an alley, a residential district or school. This area
2 shall be planted fifteen feet (15') on center with broad leaf evergreen trees
3 and minimum twenty-four inch (24") box size.

4 b. Medium Industrial (IM), General Industrial (IG)
5 and Port-related Industrial (IP) Districts. A minimum fifteen-foot (15') wide
6 landscaped strip shall be provided along the full extent of the property line
7 between the two (2) districts. This area shall be landscaped with one
8 broad leaf evergreen tree, of minimum twenty-four inch (24") box size, for
9 each fifteen (15) linear feet along the property line, as well as appropriate
10 shrubs and groundcover.

11 5. Landscaping Over Parking Garages and Other Green
12 Roofs.

13 a. Landscaped areas on top of parking garages
14 or other green roofs shall factor in the structural integrity of the building;

15 b. The landscaped areas shall be identified as
16 requiring shallow soils (extensive) or deep soils (intensive);

17 c. Extensive green roofs shall contain less than
18 six (6) inches deep of soil to promote plant growth;

19 d. Intensive green roofs shall contain deeper soils
20 to support a deeper layer of growing medium; and

21 e. Landscaping over parking garages and other
22 green roofs shall contain irrigation and maintenance measures.

23 6. Other Yard Areas.

24 There shall be a minimum of one (1) tree provided for
25 each one hundred twenty-five (125) square feet of other required yard
26 area on the lot. In addition, there shall be a minimum of three (3) shrubs
27 provided per tree.

28 7. Fences and retaining walls. All required fences and

1 retaining walls shall be landscaped with vines planted no more than ten
2 feet (10') on center on all accessible sides of a wall or alternative plant
3 materials approved by the Director of Development Services.

4 C. Plant Size. All the required plant materials shall be not less
5 than the following sizes:

6 1. Trees. For required on-site trees, at least twenty-four
7 inch (24") box and seven foot (7') in height;

8 2. Shrubs. For required shrubs, at least five (5) gallons;
9 and

10 3. Mulch. A minimum of three-inch (3") mulch shall be
11 applied on all exposed soil services of landscaped areas.

12 D. Substitutions. The following substitutions for required
13 landscaping materials may be made subject to approval of the Director of
14 Development Services:

15 1. Three (3) fifteen (15) gallon trees for one (1) twenty-
16 four inch (24") box tree;

17 2. One (1) thirty-six inch (36") box tree for two (2)
18 twenty-four inch (24") box trees;

19 3. One (1) forty-eight inch (48") box tree for four (4)
20 twenty-four inch (24") box trees;

21 4. One (1) twenty-four inch (24") box tree for five (5) five
22 (5) gallon shrubs; and

23 5. Five (5) one (1) gallon shrubs for one (1) five (5)
24 gallon shrub.

25 E. Planting Distance Between Trees. Adding the diameter of
26 two (2) adjacent tree canopies and dividing by two (2) shall determine
27 planting distance between two (2) trees. Distance between trees shall not
28 be less than fifteen feet (15') or greater than twenty-five feet (25').

1 F. Plant Height. Plant height shall not exceed three feet (3') in
2 corner cut-off areas.

3 G. Green Building Development Standards. In addition to the
4 above requirements, projects requiring Site Plan Review shall comply with
5 the Green Building Development Standards located in Section 21.45.400.

6 H. Exceptions. The Site Plan Review Committee may waive
7 any of the landscape standards if it finds that such changes will create a
8 more functional, water or energy efficient, sustainable or cohesive design.

9
10 21.42.050 Landscaping standards—Public right-of-way (Parkway).

11 A. Responsibility. Pursuant to the requirements of this
12 Chapter, the owner of private property adjoining the public right-of-way
13 shall be responsible to plant, install and maintain landscaping in the area
14 between the curb and the private property line for the entire frontage of
15 the property. For any landscaping or paving in the parkway that does not
16 conform or comply with the requirements of this Chapter, the City of Long
17 Beach shall not be responsible for any loss or damage to such
18 landscaping or paving materials in the parkway, such as cast-in-place
19 concrete or paving units set on concrete, associated with street, curb or
20 sidewalk repairs, or any other municipal repair or maintenance function.

21 B. Street Trees.

22 1. Provision of Trees. One (1) large canopy street tree,
23 of not less than twenty-four-inch (24") box size, shall be provided for each
24 twenty-five feet (25') of property line length whenever a new dwelling unit
25 is added to the adjoining property or new development requiring
26 discretionary approval, Site Plan Review, or a fence built under the
27 special fence height provisions. Such street tree shall be of a species
28 approved by the Director of Public Works and shall be provided with root

1 barriers and irrigation according to the specifications of the Director of
2 Public Works.

3 2. Exceptions. Street trees shall be spaced from
4 driveways, light standards, intersections, utility poles and street furniture
5 and shall be located only in the prescribed width of parkway as provided
6 in Chapter 14.28 of this Code. An in-lieu fee shall be provided for any
7 tree required in Subsection 21.42.050.B.1 that is not allowed by the
8 provisions of Chapter 14.28. Such fee shall be established by the City
9 Council by resolution and shall only be used for planting street trees in
10 other locations that do comply with these standards. Such fee shall be
11 paid to the Director of Public Works, and shall be based on the actual cost
12 to the Department of Public Works to obtain and plant a tree.

13 3. Removal. No street tree shall be removed unless
14 found by the Director of Public Works to be dead, dying, or a public
15 hazard due to damage to curb, gutter, sidewalk or roadway or potential for
16 falling, or for replacement of trees in an approved street tree program.
17 Such approval shall be recorded with the Department of Development
18 Services before the tree is removed.

19 C. Parkway Landscaping.

20 1. Provision of Landscaping. The area between the
21 sidewalk and the curb and between the sidewalk and the private property
22 line, if any, shall be landscaped primarily with live plant material and
23 maintained in a neat and healthy condition. Nonliving material and
24 decorative elements may be used within the parkway in accordance with
25 the provisions of this Chapter. The owner of private property adjoining the
26 public right-of-way shall be responsible for planting and maintaining such
27 landscaping. Sidewalk width shall be four feet (4') or, if adjoining the curb,
28 five feet (5'), as provided in Chapter 20.36.

1 a. Applicability of additional requirements. At the
2 time of new development involving Site Plan Review from the Planning
3 Bureau or when a complete Landscape Plan submittal is required, the
4 Planning Bureau may place additional requirements for parkway
5 landscaping beyond the above, e.g., requiring low to very low water usage
6 plant materials, as defined by WUCOLS, over at least ninety percent
7 (90%) of the total landscaped area.

8 2. Live Planting Material. Groundcover of not more than
9 eight inches (8") in height, accent plantings or shrubbery not more than
10 thirty-two inches (32") in height and street trees are the only plant
11 materials allowed in the parkway. The planting of low-water demand and
12 drought-tolerant plant materials shall be encouraged by the City of Long
13 Beach. High-water demand plant material that require, at maturity, one
14 inch (1") or more of irrigation water per week shall be prohibited.
15 Automatic irrigation systems, if installed, shall be maintained so as to
16 conserve water, and shall not cause water to runoff into the sidewalk or
17 street or pond within the parkway.

18 3. Nonliving Material. Permeable groundcovers that
19 accept foot traffic, such as decomposed granite, inorganic and organic
20 mulches, and modular paving units set on sand, are the only nonliving
21 materials allowed in the parkway and shall not cover fifty percent (50%) or
22 more of the total parkway area.

23 4. Decorative Elements. Decorative stone, wood or
24 other elements that are smooth-surfaced are allowed in the parkway, and
25 shall not project more than eight inches (8") above the surface.

26 5. Exceptions. The paving of the parkway shall be
27 prohibited, except as follows:

28 a. Rights-of-way subject to major uses for

1 commercial or retail purposes, or abutting a major arterial or regional
2 corridor street as designated in the Transportation Element of the General
3 Plan, may be paved for the full depth of the curb to property line area as
4 determined by the City Engineer and the Director of Development
5 Services;

6 b. The paving of the parkway is installed by a
7 public utility, the City of Long Beach or another governmental agency for a
8 public purpose;

9 c. The paving of the parkway is for a City-
10 approved driveway;

11 d. A paved parkway was approved with the
12 subdivision map for the property; or

13 e. A standards variance is approved. Such
14 standards variance shall not require public notice and shall be charged
15 the "mini-variance" fee.

16 6. Approval of Paving. If an exception is allowed, the
17 parkway may be paved according to the specification of the Director of
18 Development Services. Prior to paving the parkway, the adjoining
19 property owner must obtain a street improvement permit from the Director
20 of Public Works as provided in Chapter 14.08 of this Code.

21 D. Parkway Maintenance and Access.

22 1. Maintenance of Landscaping. The owner of private
23 property adjoining the public right-of-way shall be responsible for planting
24 and maintaining parkway landscaping free and clear of refuse, noxious
25 weeds, hazardous materials and plants bearing thorns, stickers or other
26 potentially injurious parts. Plants, mulches and inorganic groundcover
27 materials shall not be allowed to overgrow or spill over the edge of the
28 sidewalk or curb.

1 2. Maintenance of Traffic Lines of Sight. For purposes
2 of pedestrian and vehicular safety, all parkway landscaping shall be
3 maintained so as not to interfere with necessary vehicular or pedestrian
4 traffic lines of sight, including views of traffic signage and signals and
5 clear views of vehicles within the roadbed or exiting driveways. Such
6 standards, which include limitations on taller landscape elements within
7 street intersection areas, shall be determined by the City Engineer.

8 3. Access through Parkways.

9 a. In order to maintain access between the
10 sidewalk and legally parked cars on the curb, a minimum eighteen-inch
11 (18") wide strip or path that accepts foot traffic shall be maintained
12 abutting and parallel to the curb adjacent to legal parking spaces.
13 Additional space may be required as needed at public transit stops at the
14 direction of the City Engineer.

15 b. In order to prevent obstructions to public
16 access across parkways, continuous hedge-like plantings shall be
17 prohibited. Single specimen shrubs or groupings of elevated landscape
18 materials, including accent plantings or shrubbery of more than eight
19 inches (8") in height, decorative rock and other elements, shall not extend
20 more than six feet (6') along a parkway as measured parallel to the curb,
21 and must be spaced at least thirty-six inches (36") apart as measured
22 parallel to the curb.

23 c. The berming of earth or other landscape
24 materials of more than twelve inches (12") in height above the sidewalk at
25 its highest point, or the creation of a bioswale or depression of more than
26 twelve inches (12") in depth at its lowest point, shall be prohibited.

27 d. Fencing of any kind shall be prohibited in
28 parkways, except for curbing of not more than six inches (6") in height

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1 intended to contain groundcover material.

2
3 Section 7. Sections 21.41.256 and 21.41.257 of the Long Beach
4 Municipal Code are hereby repealed.

5 Section 8. The City Clerk shall certify to the passage of this ordinance by
6 the City Council and cause it to be posted in three (3) conspicuous places in the City of
7 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
8 Mayor.

9
10 I hereby certify that the foregoing ordinance was adopted by the City Council of the
11 City of Long Beach at its meeting of October 12, 2010, by the following votes:

12
13 Ayes: Councilmembers: Garcia, DeLong, O'Donnell, Schipske,
14 Andrews, Johnson, Gabelich, Neal,
15 Lowenthal.

16
17 Noes: Councilmembers: None.

18
19 Absent: Councilmembers: None.

20
21
22 

23 City Clerk

24
25 Approved: 10/13/10
26 (Date)

27
28 
Mayor