

## CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA OFFICE

200 OCEANGATE, SUITE 1000

LONG BEACH, CA 90802-4325

(2) 590-5071



## Item Tu14a

February 14, 2002

TO: Commissioners and Interested Persons

RECORD PACKET COPY.

FROM: Deborah Lee, Deputy Director  
Teresa Henry, South Coast District Manager  
Charles Posner, Coastal Program Analyst

SUBJECT: Minor Amendment Request No. 2-01 to the City of Long Beach Certified Local Coastal Program (For Commission concurrence at its March 5, 2002 meeting in Monterey).

**Local Coastal Program Amendment No. 2-01 (Minor)**

The City is requesting that the Commission certify an amendment to the implementing ordinances (LIP) portion of the City of Long Beach certified Local Coastal Program (LCP). The requested LCP amendment would incorporate minor revisions into the sections of the City's zoning ordinance that regulate: 1) storage of inoperable vehicles in residential districts, 2) installation of Publicly Accessible Exterior Telephones, 3) measurement of residential building heights, and 4) keeping of rabbits as pets. Additionally, the LCP amendment would fix some incorrect cross-references.

Any change to the City's zoning regulations constitutes an amendment to the LCP because the City zoning regulations are the implementing ordinances (LIP) of the certified LCP. The proposed LCP amendment affects only the LIP portion of the LCP and does not propose any rezoning or land use changes in the coastal zone. The certified Land Use Plan (LUP) portion of the LCP is not affected by this amendment.

The requested LCP amendment is a "minor" LCP amendment because the proposed changes are consistent with the certified LUP, would make the zoning regulations more specific, and would not change the kind, location, intensity, or density of any uses. The proposed revisions are contained in Ordinance Nos. C-7776 and C-7780 (See Exhibits #2&3: proposed new language is underlined - deleted language is not shown).

The City Planning Commission held public hearings for the proposed LCP amendment on September 20, 2001 and November 1, 2001. The Long Beach City Council held public hearings for the LCP amendment on October 30, 2001 and December 4, 2001.

**Analysis**

The Executive Director has determined that City of Long Beach LCP Amendment No. 2-01 is a minor LCP amendment. The proposed LIP amendment reorganizes, clarifies and strengthens the City's existing ordinances that regulate: 1) storage of inoperable vehicles in residential districts, 2) installation of Publicly Accessible Exterior Telephones, 3)

measurement of residential building heights, and 4) keeping of rabbits as pets. All of the proposed changes are consistent with the certified LUP.

### **Storage of Inoperable Vehicles in Residential Districts**

Section 21.41.283 of the City's zoning ordinance (and certified LIP) currently states:

Unlicensed, inoperative, noticeably dented or rusted, fully or partially disassembled vehicles, including those with wheels removed and/or on blocks or jacks, shall not be parked or stored in areas visible from public rights-of-way.

The requested LCP amendment would revise and clarify Section 21.41.283 to make it more specific (See Exhibit #2, p.3). The revised regulation requires that such vehicles (maximum of two) shall be screened from public view, and shall be stored only on a paved surface on the rear portion of a lot. Additionally, an amortization clause (60 days) is being added for enforcement purposes.

The following definitions are being added or revised in order to clarify the inoperable vehicles regulations for residential districts:

Section 21.15.3205: Definition of "Vehicle" (See Exhibit #2, p.8).

Section 21.15.3210: Definition of "Vehicle, dismantled" (See Exhibit #2, p.2).

Section 21.15.3215: Definition of "Vehicle, inoperative" (See Exhibit #2, p.8)

The proposed clarification of the inoperable vehicles regulations also includes minor changes to the wording in Sections 21.45.150.H and 21.45.150.I (Exhibit #2, p.4: replace "disassembled" with "dismantled"), and the addition of Section 21.51.110.D (Exhibit #2, p.9: Accessory Uses). As proposed, the requested LIP amendment reorganizes, clarifies and strengthens the City's existing regulations for the storage of inoperable vehicles in residential districts.

### **Publicly Accessible Exterior Telephones**

Section 21.15.2215 (definition of "Publicly Accessible Exterior Telephones") is being added to the City's zoning ordinance (See Exhibit #2, p.8). The proposed definition clarifies the City's current requirement that a permit must be obtained from the Director of Financial Management for each publicly accessible payphone (on private or public property). This is a clarification.

### **Measurement of Residential Building Heights**

The City is proposing to amend the sections of the zoning ordinance that relate to the way the heights of residential buildings are measured. The proposed revisions are minor changes in wording which would make implementation of residential building standards (height limits) more clear and specific. The City is not proposing to change the currently certified height limits for residential buildings.

According to the City, the proposed changes relating to building heights was initiated because the zoning code does not adequately explain how residential building heights are measured, particularly when a building has a combination of sloped roofs, flat roofs, decks and penthouses. The issue is most acute in R1S and R2S zones in Belmont Shore where developers and architects want to maximize the building envelope allowed by the zoning code.

Specifically, the confusion lies in the identification, and distinction between, a mansard parapet roof and a mansard roof (See Exhibit #2, p.5: revised Figure 15-5). Many people have incorrectly interpreted the code to define mansard and mansard parapet roofed buildings as having sloped roofs. Since the code allows sloped roofs to be built higher (the *midpoint* of a sloped roof cannot exceed the height limit), this results in buildings being proposed with mansard roofs that would exceed the height limit (the *top* of a flat-roofed building cannot exceed the height limit).

Section 21.15.1330 (See Exhibit #2, p.1: Definition of "Height of building") and Figure 15-5 (Exhibit #2, p.5) are being revised in order to make more clear the difference between buildings with sloped roofs and buildings with flat roofs. A mansard parapet roof is defined as a flat roof, and thus must be measured to the top of the parapet (rather than the midpoint of the slope). In addition, the section is clarified to allow a roof deck (no larger than ten percent of the footprint of the principal building) within a sloped roof.

As proposed, the requested LIP amendment clarifies and strengthens the City's existing regulations for measurement of residential building heights. The proposed changes will not result in taller buildings being permitted, or any change in the kind, location, intensity, or density of uses.

### **Keeping of Rabbits as Pets**

Section 21.51.210.A of the City's zoning ordinance (and certified LIP) currently states:

A total of not more than four weaned animals may be kept at one site. This limitation shall not apply to fish, rodents or caged birds (provided the birds are not allowed to fly free and are maintained in accordance with applicable health regulations).

The requested LCP amendment would clarify and revise Section 21.51.210.A to make it more specific and to limit the number of rabbits as pets (See Exhibit #3). As proposed, the word "animals" would be replaced with the term "household pets", and rabbits would be subject to the four-animal limit at one site. The definition of "Household pet" would be clarified to define rabbits as pets (See Exhibit #3: Definition of "Household pet" - Section 21.15.2030). As proposed, the requested LIP amendment clarifies the City's regulations for the keeping of animals.

### Other Corrections

Section 21.44.110.F.1 (See Exhibit #2, p.3: Freestanding Signs - Projection) is being reworded for clarification as follows (proposed deletions are identified by strike-through, and proposed ***new language is in bold italics***):

No freestanding sign shall overhang ~~any right-of-way line or established setback line.~~ ***the property line adjoining a public right-of-way unless approval has been granted by the Department of Public Works.***

This change is a correction that is necessary to make the zoning ordinance clear and consistent as some signs can currently be permitted to project into a public right-of-way. Projecting signs, regulated by Section 21.44.120, are currently allowed to project into a public right-of-way, but only when an encroachment permit is obtained from the Department of Public Works. Additionally, Section 21.44.090.B (Signs on Public Property) currently prohibits private freestanding signs on the sandy beach, and severely limits the placement of any private signs on public property adjacent to a sandy beach. Section 21.44.090 also requires that a coastal development permit be obtained for any sign placed on public property in the coastal zone, with the exception of: wall signs; signs on the interior of structures; signs comprised solely of paint on existing structures; temporary banners, flags and political campaign signs displayed for a period not to exceed 90 days; warning signs; traffic safety signs; and public service signs less than four square feet that identify public conveniences (e.g., restrooms, telephones, hours of operation, government ordinances) [See LCP Amendment No. 1-97B].

The cross-referenced chapter at the end of Sections 21.32.245.B and 21.32.245.C is being corrected. These sections should refer Chapter 21.45 (See Exhibit #2, ps.2&3).

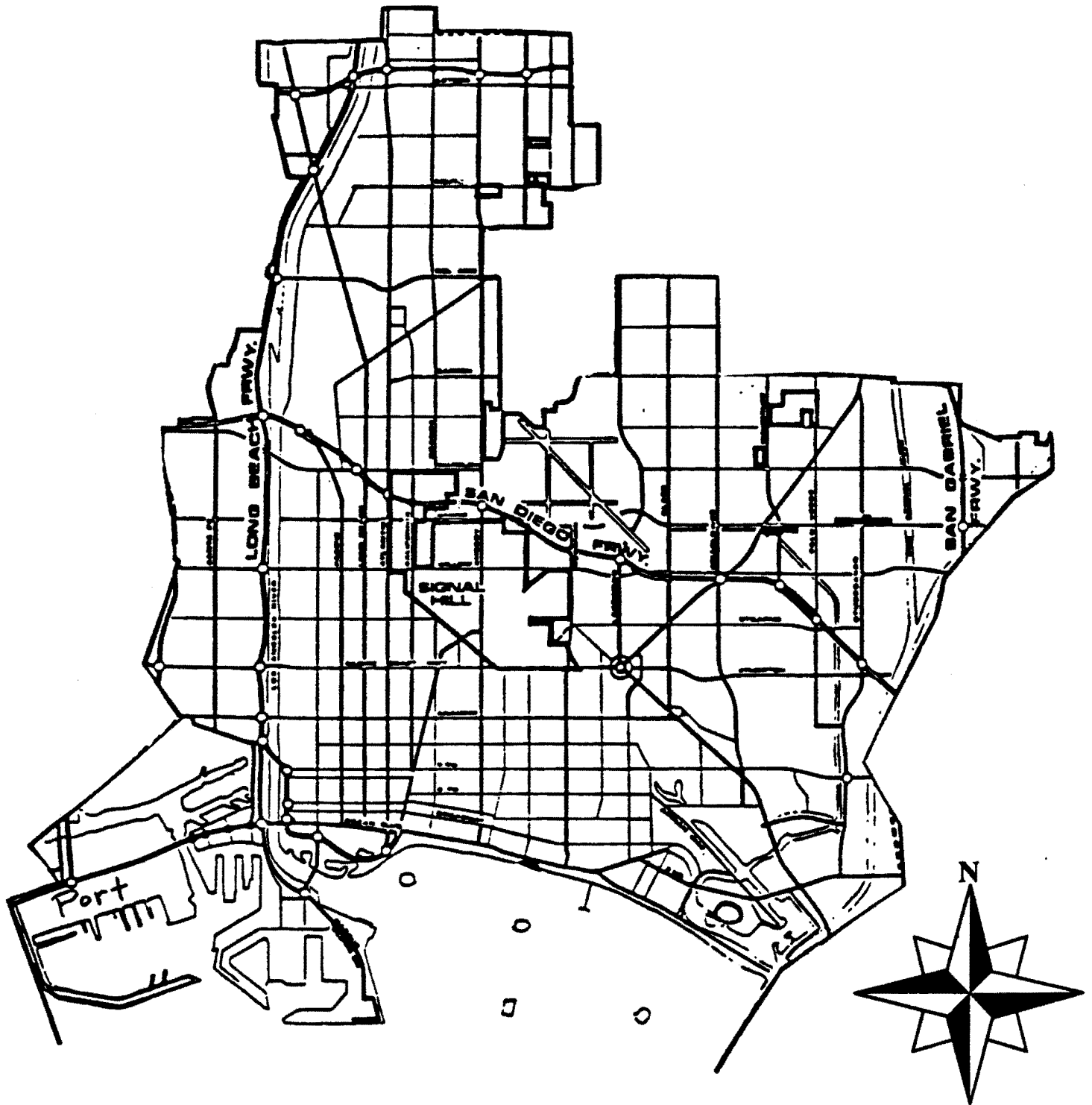
Table 32-1 is being corrected so the cross-referenced section refers correctly to Section 21.51.255 (See Exhibit #2, p.7).

### Procedures

Pursuant to Section 30514(c) of the Coastal Act and Section 13554(a) of the California Code of Regulations, the Executive Director has determined that the proposed LCP amendment is "minor" in nature. Section 13554(a) of the California Code of Regulations defines a minor LCP amendment as changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and are consistent with the certified LUP.

The proposed LCP amendment will become effective after report to the Commission of any written objections received within ten working days of the mailing of notice unless one-third of the appointed members of the Commission request that the LCP amendment be processed and heard as a "major" LCP amendment pursuant to Section 13555 of the California Code of Regulations.

# City of Long Beach



COASTAL COMMISSION  
LB LCP 2-01

EXHIBIT # 1  
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RECEIVED

South Coast

ORDINANCE NO. C-7776

DEC 27 2001

CALIFORNIA  
COASTAL COMMISSION

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTIONS 21.15.1330,  
21.15.3210, SUBSECTIONS B AND C OF SECTION  
21.32.245, 21.41.283, 21.44.110.F.1, SUBSECTIONS H AND  
I OF SECTION 21.45.150, FIGURE 15-5, AND TABLE 32-1;  
BY ADDING SECTIONS 21.15.2215, 21.15.3205, 21.15.3215  
AND 21.51.110.D, ALL RELATING TO ZONING  
REGULATIONS (2001)

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

Section 1. Section 21.15.1330 of the Long Beach Municipal Code is  
amended to read as follows:

21.15.1330 Height of building.

A. The height of a building with a sloped roof is the vertical  
distance above grade, as defined in Section 21.15.1190, to the midpoint  
height of the highest sloped roof. A sloped roof may include but is not  
limited to a shed, hip, gable, gambrel, mansard or curved roof as shown  
on Figure 15-5 and is defined as a slanting surface covering the top of the  
structure. The measurement of this vertical distance is further described  
in Section 21.15.1335.

B. The height of a building with a flat roof is the vertical distance  
above grade, as defined in Section 21.15.1190, to the top of the railing,  
parapet or coping (whichever is higher). Examples of buildings with flat  
roofs are shown on Figure 15-5, and include a building with a mansard

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EXHIBIT # 2  
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1 parapet. The height of a building with a mansard parapet is the vertical  
2 distance above grade, as defined in Section 21.15.1190, to the top of the  
3 railing, parapet or coping (whichever is higher).

4 C. The height of a stepped or terraced building is the maximum  
5 height of any segment of the building. The height of any dormer shall be  
6 considered the height of a separate roof. The highest roof or roof  
7 segment shall be utilized in determining compliance with the height limit.

8 D. A sloped roof that includes an open roof deck that does not  
9 exceed ten percent (10%) of the footprint of the principal building is  
10 considered a sloped roof for purposes of measuring height. If the roof  
11 deck exceeds ten percent (10%) of the footprint of the principal building,  
12 the roof deck shall be considered a flat roof and building height shall be  
13 measured to the top of the railing, parapet, or coping (whichever is  
14 higher).

15 E. Elevator and mechanical equipment penthouses shall not be  
16 included in the measurement of height for commercial buildings.

17  
18 Sec. 2. Section 21.15.3210 of the Long Beach Municipal Code is  
19 amended to read as follows:

20 21.15.3210 Vehicle, dismantled.

21 "Dismantled vehicle" means a vehicle without hoods, doors,  
22 fenders, body panels, headlights, trunk lids, tires, wheels, windows or  
23 windshields (when such items are normally part of the vehicle).

24  
25 Sec. 3. Subsections B and C of Section 21.32.245 of the Long Beach  
26 Municipal Code are amended to read as follows:

27 B. Locations permitted. Accessory structures and buildings may  
28 be placed anywhere on a lot except within the required street front

1 setback area or as otherwise restricted by the provisions of Chapter 21.45  
2 (Special Development Standards).

3 C. Trash receptacles. Adequate trash receptacles shall be  
4 provided to accommodate all refuse generated on a site. Such  
5 receptacles shall conform to the development standards contained in  
6 Chapter 21.45 (Special Development Standards).

7  
8 Sec. 4. Section 21.41.283 of the Long Beach Municipal Code is amended  
9 to read as follows:

10 21.41.283 Parking and storage of inoperative, dismantled  
11 or wrecked vehicles-Residential districts.

12 Inoperative, dismantled or wrecked vehicles may be stored as an  
13 accessory use in residential districts subject to the following:

14 A. The storage is limited to a maximum of two (2) such inoperative,  
15 dismantled or wrecked vehicles.

16 B. The storage shall be fully screened from public view.

17 C. The storage shall occur in the rear fifty percent (50%) of the lot  
18 and shall not block the required vehicular access to the garage.

19 D. The storage shall occur on a fully paved surface (21.41.263).

20 E. Inoperative, dismantled or wrecked vehicles stored in violation  
21 of these regulations shall be removed or stored in compliance with these  
22 regulations within sixty (60) days of the effective date of this ordinance.

23  
24 Sec. 5. Section 21.44.110.F.1 of the Long Beach Municipal Code is  
25 amended to read as follows:

26 F. Projection.

27 1. No freestanding sign shall overhang the property line  
28 adjoining a public right-of-way unless approval has been granted by the



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Department of Public Works.

Sec. 6. Subsections H and I of Section 21.45.150 of the Long Beach Municipal Code are amended to read as follows:

H. Screening of wrecked or dismantled vehicles. Any wrecked or dismantled vehicles or equipment parked overnight or stored on a site in the open shall be screened from the street by a solid fence or wall not less than six feet (6') in height. However, for security reasons, fences which abut alleys or residential streets, or fences which face a major highway, a minor highway or principal street, may contain open fence areas, as long as the open area does not exceed twenty percent (20%) of the entire fence or wall length.

I. Vehicles outside screening. All vehicles or equipment parked or stored outside an area fully screened pursuant to Subsections 21.45.150.G and 21.45.150.H shall be parked or stored in a neat and orderly manner. Vehicles shall be parked parallel to each other and to property lines and/or buildings. Vehicles shall not be wrecked or dismantled; shall have hoods, trunks and doors closed; shall not be dirty or dusty; and shall not be parked or stored on public property or public right-of-way.

Sec. 7. Figure 15-5 of the Long Beach Municipal Code is amended as follows:

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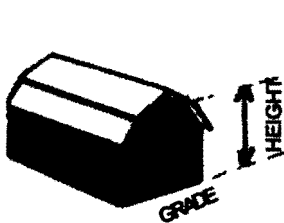
COASTAL COMMISSION

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Figure 15 - 5

Height of Buildings

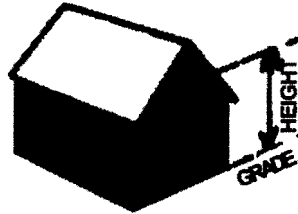
SLOPED ROOF



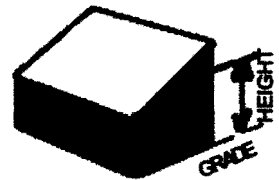
GAMBREL ROOF



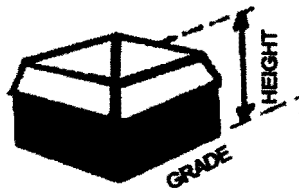
HIP ROOF



GABLE ROOF

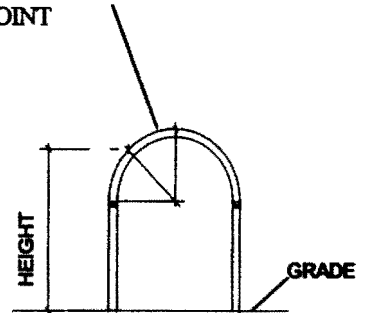


SHED ROOF



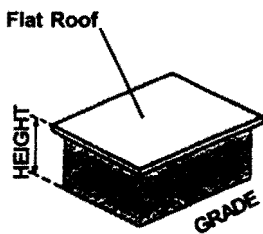
MANSARD ROOF

MEASURE LINEAR DISTANCE  
OF SURFACE AND FIND MID-  
POINT

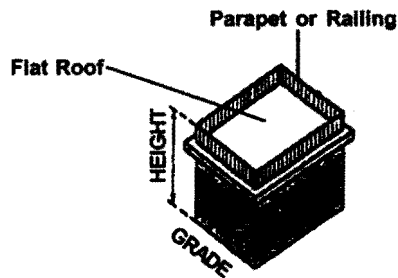


CURVED ROOF

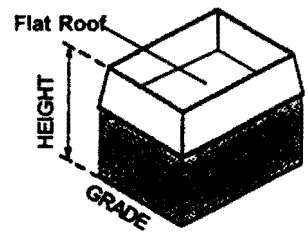
FLAT ROOF



FLAT ROOF



FLAT ROOF WITH RAILING



MANSARD PARAPET

COASTAL COMMISSION

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Sec. 8. Table 32-1 of the Long Beach Municipal Code is amended to  
read as follows:

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//

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EXHIBIT # 2  
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**Table 32-1**  
**Uses In All Other Commercial Zoning Districts**

	Neighborhood			Community				Regional	Other	
	CNP	CNA	CNE	CCA	CCP	CCR	CNN	CHW	CS	
Retail Sales										
Basic retail sales (except uses listed below)	Y	Y	Y	Y	Y	Y	Y	Y	N	Used clothing, antiques, art, books (new and used), coins, collectibles, jewelry, and trading cards are included in "Basic Retail".
Building supply or hardware store with lumber, drywall, or masonry	N	N	N	Y	Y	Y	Y	Y	N	For hardware store without lumber, drywall, or mason- ry, see "Basic Retail Sales".
Gun Shop	AP	AP	AP	AP	AP	AP	AP	Y	N	
Major household appliances (refrig/stove/etc.)	N	N	N	Y	Y	Y	Y	Y	N	
Manufacture of products sold on site	A	A	A	A	A	A	A	A	A	See Section 21.51.240.
Merchandise mall, indoor swap meet	N	N	N	C	C	C	C	C	N	
Outdoor sales events (flea mkts/swap meet)	N	N	N	C	C	C	C	C	N	
Outdoor vending 1. Flower, plant, fruit or vege- tables in con- junction with sale of related products from a retail store	A	A	A	A	A	A	A	A	N	1. See Section <u>21.51.255</u>
2. Food carts	AP	AP	AP	AP	AP	AP	AP	AP	N	2. See Section 21.45.170
3. Flower cart or news cart	Y	Y	Y	Y	Y	Y	Y	Y	Y	3. See Section 21.45.135
4. Mobile food truck at construction sites	T	T	T	T	T	T	T	T	T	4. See Section 21.53.106

1                   Sec. 9. The Long Beach Municipal Code is amended by adding Section  
2 21.15.2215 to read as follows:

3                   21.15.2215 Publicly accessible exterior telephones.

4                   Publicly accessible exterior telephones (PAT) shall mean an exterior  
5 telephone located on public property or on private property if the private  
6 property is open or accessible to the public, into which money may be  
7 deposited, or through which a credit card or telephone credit card number  
8 may be entered, for purposes of obtaining a telecommunications link to  
9 communicate with another who receives the communication by telephone  
10 or pager. Publicly accessible exterior telephones are prohibited unless an  
11 exterior telephone permit (PAT permit) has been approved by the Director  
12 of Financial Management pursuant to Chapter 5.71 of Title 5 of the Long  
13 Beach Municipal Code.

14  
15                   Sec. 10. The Long Beach Municipal Code is amended by adding Section  
16 21.15.3205 to read as follows:

17                   21.15.3205 Vehicle.

18                   "Vehicle" means a device by which any person or property may be  
19 propelled, moved, or drawn upon a street or highway, except a device  
20 moved by human power or used exclusively upon stationary rails or tracks.

21  
22                   Sec. 11. The Long Beach Municipal Code is amended by adding Section  
23 21.15.3215 to read as follows:

24                   21.15.3215 Vehicle, inoperative.

25                   "Inoperative vehicle" includes (1) any vehicle which is not currently  
26 and validly registered for operation or use on the streets and highways in  
27 the State as required under the provisions of the California Vehicle Code;  
28 or (2) any motor vehicle which currently is incapable of being driven under

1 its own motor power; or (3) any non-motor vehicle which currently is  
2 incapable of being moved or drawn.

3  
4 Sec. 12. The Long Beach Municipal Code is amended by adding Section  
5 21.51.110.D to read as follows:

6 D. Storage of inoperative, dismantled or wrecked vehicles in  
7 residential districts. The storage of more than two (2) inoperative,  
8 dismantled or wrecked vehicles shall not be considered an accessory  
9 residential land use and shall be prohibited in all residential districts.  
10

11 Sec. 13. The City Clerk shall certify to the passage of this ordinance by  
12 the City Council and cause it to be posted in three conspicuous places in the City of  
13 Long Beach, and it shall take effect on the thirty-first day after it is approved by the  
14 Mayor.

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COASTAL COMMISSION

EXHIBIT # 2  
PAGE 9 OF 10

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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 November 6, 2001, by the  
following vote:

Ayes: Councilmembers: Lowenthal, Baker, Colonna, Carroll,  
Kell, Richardson-Batts, Grabinski,  
Webb, Shultz.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Shelba Powell  
City Clerk

Approved: 11-7-01

Ken Neil  
Mayor

CERTIFIED AS A TRUE AND CORRECT COPY

Shelba Powell  
CITY CLERK OF THE CITY OF LONG BEACH

BY Kathy Yano

DATE: NOV 16 2001

HAM:MJM:KJM 10/9/01  
L:\APPS\CtyLaw\32\WPDOCS\026\P001\00024030.WPD  
#01-04341

COASTAL COMMISSION

EXHIBIT # 2  
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ORDINANCE NO. C-7780

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTIONS 21.15.2030  
AND 21.51.210.A, RELATING TO ZONING

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

Section 1. Section 21.15.2030 of the Long Beach Municipal Code is  
amended to read as follows:

21.15.2030 Pet, household.

"Household pet" means an animal customarily kept in a house,  
such as dogs, cats, fish, caged birds, rabbits and the like. No wild, exotic,  
or livestock animals shall be considered household pets.

Sec. 2. Section 21.51.210.A of the Long Beach Municipal Code is  
amended to read as follows:

A. Number. A total of not more than four (4) weaned household  
pets may be kept at one (1) site. This limitation shall not apply to fish,  
rodents (other than rabbits), or caged birds (provided the birds are not  
allowed to fly free and are maintained in accordance with all applicable  
health regulations).

Sec. 3. The City Clerk shall certify to the passage of this ordinance by the  
City Council and cause it to be posted in three conspicuous places in the City of Long  
Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

//

COASTAL COMMISSION

EXHIBIT # 3  
PAGE 1 OF 2



1 I hereby certify that the foregoing ordinance was adopted by the City Council of  
2 the City of Long Beach at its meeting of December 11, 2001, by the  
3 following vote:

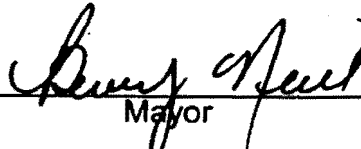
4 Ayes: Councilmembers: Lowenthal, Baker, Colonna, Carroll,  
5 Kell, Richardson-Batts, Grabinski,  
6 Webb.

7 Noes: Councilmembers: None.

8  
9 Absent: Councilmembers: Shultz.  
10  
11

12   
13 City Clerk

14  
15 Approved: 12-13-01

16   
17 Mayor

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25 HAM:KJM  
26 L:\APPS\CityLaw\32\WPDOCS\0002\0001\00025282.WPD  
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COASTAL COMMISSION

EXHIBIT # 3  
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