ORDINANCE NO. ORD-18-0030


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

Section 1. Section 21.15.590 of the Long Beach Municipal Code is amended to read as follows:

21.15.590 Communal housing.

"Communal housing" means housing for nonfamily groups with common kitchen and dining facilities but without medical, psychiatric or other care. Communal housing includes boarding house, lodging house, dormitory, fraternity house, commune, and religious home. Communal housing does not include handicapped or senior citizen housing, residential care facility, or convalescent hospital or parsonage as defined by this Code.

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Section 2.  Section 21.15.1470 of the Long Beach Municipal Code is amended to read as follows:

21.15.1470 Institutional use.

"Institutional use" means a category of land use characterized by emphasis upon educational, cultural, or public service activities whether for profit or of a nonprofit nature.

Section 3.  Section 21.15.2005 of the Long Beach Municipal Code is amended to read as follows:

21.15.2005 Parsonage.

"Parsonage" means an accessory residential use on the same property and occupied by employees of a church or other religious assembly or institutional use who provide spiritual guidance to members.

Section 4.  Section 21.15.2810 of the Long Beach Municipal Code is amended to read as follows:

21.15.2810 Special group residence.

"Special group residence" includes, but is not limited to, fraternity and sorority houses, college dormitories, residential care facility, convalescent hospitals, senior citizen housing, handicapped housing, halfway houses, military barracks and religious homes. Special group residence does not include group homes or parsonage as defined by this Code.

Section 5.  Section 21.25.502.A.3 of the Long Beach Municipal Code is amended to read as follows:

3.  Industrial or public assembly use. Industrial or public assembly use projects with five thousand (5,000) square feet or more of
floor area of new construction, except those located in the IP (Port) zoning
district. Projects located in the IP zone shall be exempt from site plan
review, except those projects which are located on a major arterial as
defined by the Mobility Element of the General Plan.

Section 6. Table 32-1, Uses in All Other Commercial Zoning Districts, in
Section 21.32.130 of the Long Beach Municipal Code is amended to read as shown on
Exhibit A attached hereto.

Section 7. Section 21.32.020 of the Long Beach Municipal Code is
amended to read as follows:

Twelve (12) commercial districts are established by this Chapter as follows:

A. Commercial Zoning Districts Of General Applicability.

1. The CO-Office Commercial District permits mixed
residential and commercial uses along major arterial routes. This District
implements Land Use District No. 8M of the General Plan.

2. The CH-Highway Commercial District preserves and
enhances areas for automobile-oriented commercial uses. The District
recognizes the need for many commercial uses to have large frontages and
high visibility along major highways. This District implements Land Use
District No. 8A of the General Plan.

3. The CT-Tourist and Entertainment Commercial District
creates, preserves and enhances areas for the development of a major
tourist and entertainment industry for the City. The District recognizes that
such areas have special requirements for intense and unique uses,
transportation linkages, and aesthetically pleasing environments.

B. Neighborhood Commercial Zoning Districts. The
Neighborhood Commercial Zoning District includes neighborhood-serving
centers and corridors that provide small scale, low-intensity uses to meet the daily retail and service needs of surrounding residents. Uses and the scale of development shall be compatible with surrounding residential neighborhoods and shall be designed to promote pedestrian and bicycle access. Scale is determined by the size of adjoining residential uses, the commercial lot size and the commercial street width. Special scale restrictions apply in these districts. There are three (3) types of Neighborhood Commercial Districts:

1. The Neighborhood Pedestrian (CNP) District is oriented towards serving pedestrians and encouraging pedestrian activity by locating buildings along the primary street frontage and parking behind the buildings.

2. The Neighborhood Automobile-Oriented (CNA) District is auto-oriented with buildings set back from the front property line and parking located between the building and the street.

3. The Neighborhood Commercial and Residential (CNR) District is a mixed-use district permitting small scale commercial uses and/or moderate density residential development at R-3-T densities.

C. Community Commercial Zoning Districts. The Community Commercial Zoning Districts provide medium scale uses that serve an entire community, including those who arrive by automobile, and which may require buffering to ensure compatibility with adjacent residential neighborhoods. These districts are located on major or minor arterials, located on larger lot sizes and adjoining larger scale residential neighborhood uses or are buffered from smaller scale residential neighborhoods. There are four (4) types of Community Commercial Districts:

1. The Community Automobile-Oriented (CCA) District permits retail and service uses for an entire community including
convenience and comparison shopping for goods and associated services.

2. The Community Pedestrian-Oriented (CCP) District permits retail and service uses with a development character intended to encourage pedestrian activity with buildings built to the street property line and parking is to the side or the rear.

3. The Community R-4-R (CCR) District is similar to the Community Auto-Oriented District, but also permits moderate density residential development at R-4-R densities.

4. The Community R-4-N (CCN) District is similar to the Community Auto-Oriented District, but also permits medium density residential development at R-4-N densities.

D. Regional Commercial Zoning District. The Regional Commercial District provides for large scale, mixed uses on large sites in activity centers. These sites are located on major arterial streets and regional traffic corridors. There is one (1) type of Regional Commercial Zoning District:

1. The Regional Highway District (CHW) is a commercial use district for mixed scale commercial uses located along major arterial streets and regional traffic corridors. Residential use is not permitted.

E. Commercial Storage Zoning District. The Commercial Storage (CS) District encourages storage uses in areas which are particularly difficult to use due to parcel shape, access, adverse environmental conditions, or in areas where parcels are needed to form a buffer from incompatible uses.
Section 8. Section 21.15.245 is added to the Long Beach Municipal Code to read as follows:

21.15.245 Assembly use.

“Assembly use” means any facility for public or private meetings or gatherings including community centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations and other uses that are classified as assembly use under the California Building Code. This definition includes related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. This definition does not include gymnasiums or other sports facilities, convention centers, or facilities such as day care centers and schools that are separately defined and regulated.

Section 9. Section 21.15.595 is added to the Long Beach Municipal Code to read as follows:

21.15.595 Community assembly.

“Community assembly” means a facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This definition includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, cultural facilities or facilities such as day care centers and schools that are separately classified and regulated.
Section 10. Section 21.15.707 is added to the Long Beach Municipal Code to read as follows:

21.15.707 Cultural facility.

“Cultural facility” means a facility engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This definition includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. Facilities may include space for classes or lectures. It does not include schools or institutions of higher education providing curricula of a general nature or facilities for assembly uses.

Section 11. Section 21.15.1054 is added to the Long Beach Municipal Code to read as follows:

21.15.1054 Fitness Facility.

“Fitness Facility” means a primarily indoor establishment, which may include weight training facilities; swimming or exercise pool; sport courts (basketball, etc.); exercise, yoga, and martial arts classes; sauna, spa or hot tub facilities; and similar activities that are primarily conducted indoors. Fitness Facilities may include locker rooms, snack bars, and childcare for patrons, incidental offices and storage space.

Section 12. Section 21.15.2195 is added to the Long Beach Municipal Code to read as follows:

21.15.2195 Public Library

“Public Library” means a nonprofit library maintained for public use and usually supported in whole or in part by local taxation. A library is a
building or portion thereof where written, audio, visual, and other media are kept in some convenient order for use, but generally not for sale.

Section 13. Section 21.15.2273 is added to the Long Beach Municipal Code to read as follows:

21.15.2273 Religious assembly.

"Religious assembly" is a type of community assembly use where a building or space is used primarily for persons to conduct worship or other religious ceremonies including, but not limited to, church, cathedral, mosque, shrine, synagogue or temple, and other religious worship places, facilities for religious instruction, incidental office, storage, and kitchen facilities. This definition does not include childcare facilities, schools (kindergarten through 12th grade), gymnasiums or other sports facilities.

Section 14. Section 21.52.219.8 is added to the Long Beach Municipal Code to read as follows:

21.52.219.8 Community assembly uses.

Community assembly uses shall be located, developed, and operated in compliance with the following standards:

A. In a residential zone:

1. The proposed use may consist only of an expansion of an existing facility on the site or on the abutting site; and

2. The site shall be limited to forty thousand (40,000) square feet in size;

3. A long-range development plan consistent with the requirements of Section 21.34.020 shall be submitted for Planning Commission review and approval for any new or expanded use on any site larger than forty thousand (40,000) square feet. New construction and
additions with five thousand (5,000) square feet of floor area or more must be consistent with the long-range plan;

B. Any proposed addition or new construction shall conform to the development standards required for principal uses within the district.

C. Any new construction or additions with five thousand (5,000) square feet of floor area or more shall be subject to site plan review pursuant to Chapter 21.25, Division V;

D. A buffer at least twenty (20) feet in width shall be provided adjacent to the boundary of any residential zone or property line of any residential use. This buffer area may be used for parking or landscaping but shall not be used for structures or outside activities. The minimum buffer requirement may be reduced subject to the review and approval of a Conditional Use Permit pursuant to Chapter 21.25, Division II, as long as the reduced buffer maintains the minimum setback requirement of the district in which the facility is located. Parking areas shall be screened consistent with the requirements of Chapter 21.42.

E. Outdoor areas used for recreation, meetings, services or other activities involving groups of persons shall be at least fifty (50) feet from the boundary of any residential zone or property line of any residential use.

F. Parking shall be provided in accordance with Chapter 21.41.

G. To ensure compliance with the Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), the Planning Commission or the Zoning Administrator shall have the authority to grant exceptions and waivers to the requirements of this Code when necessary to accommodate religious assembly uses.

1. A request for an exception or waiver shall be submitted and processed in the same manner as an application for an Administrative Use Permit consistent with the requirements of Chapter 21.25, Division IV,
Administrative Use Permits.

2. If necessary to reach a determination on the request for exception or waiver, the Zoning Administrator may request further information from the applicant, specifying in detail what information is required.

3. Findings required. The following findings must be analyzed, made and adopted before any action is taken to approve or deny a request for a modification or waiver and must be incorporated into the record of the proceeding relating to such approval or denial:

   a. The requested exception or waiver will not impose an undue financial or administrative burden on the City.

   b. The requested exception or waiver will not require a fundamental alteration of the zoning or building laws, policies and/or procedures of the City.

   c. There are no alternatives to the requested waiver or modification that could provide an equivalent level of function related to religious worship with less potential detriment to surrounding owners and occupants or to the general public.

   d. That the conditions imposed, if any, are necessary to further a compelling public interest and represent the least restrictive means of furthering that interest;

   e. That denial of the requested exception or waiver would impose a substantial burden on religious worship or would conflict with any State or federal statute.

   f. For religious assembly uses located in the coastal zone, a request for reasonable accommodation under this Section shall be approved by the City if it is consistent with all of the applicable provisions of this Division, and the certified Local Coastal Program.
a request for a modification or waiver is not consistent with the certified
Local Coastal Program, the City may waive compliance with an otherwise
applicable provision of the Local Coastal Program and approve the request
for reasonable accommodation if the City finds that the request is
consistent, to the maximum extent feasible, with the certified Local Coastal
Program.

4. Conditions of approval. In approving an exception or
waiver to accommodate religious assembly use, the decision-maker may
impose any conditions deemed necessary to:
   a. Ensure that the proposal conforms in all
   significant respects with the General Plan and with any other applicable
   plans or policies adopted by the City Council;
   b. Achieve the general purposes of this Section or
   the specific purposes of the zoning district in which the project is located;
   c. Achieve the findings for an exception or waiver
   granted; or
   d. Mitigate any potentially significant impacts
   identified as a result of review conducted in compliance with the California
   Environmental Quality Act.

5. Exceptions or waivers approved pursuant to this
section may be conditioned to provide for rescission or automatic expiration
based on a change of occupancy or other relevant change in circumstance.
To ensure this, the property owner shall record a covenant demonstrating
that the improvement with which the exception or waiver is associated shall
be removed or modified to comply with City regulations at the expense of
the property owner when said circumstance or occupancy changes.

6. Appeals. The applicant or any aggrieved party may
appeal decisions pursuant to this section or any conditions or limitations
imposed by the Zoning Administrator.

a. All appeals shall contain a statement of the grounds for the appeal.
b. Appeals shall be to the Planning Commission, in accordance with Division V of Chapter 21.21 – Administrative Procedures.

Section 15. Section 21.52.232 is added to the Long Beach Municipal Code to read as follows:

21.52.232 Fitness or health club, dance or karate studio and the like.

A. The use shall demonstrate adequate parking for peak demand.
B. The facility shall be limited to five thousand (5,000) square feet of gross usable floor area in neighborhood commercial zones (CNP, CAN and CNR).

Section 16. Long Beach Municipal Code Sections 21.15.510 and 21.52.213 are hereby repealed.

Section 17. 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 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.
I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of December 11, 2018, by the following vote:


Noes: Councilmembers: None.

Absent: Councilmembers: Gonzalez, Supernaw, Mungo, Richardson.

Approved: 12/12/18 (Date)
### Table 32-1, Uses in All Other Commercial Zoning Districts

<table>
<thead>
<tr>
<th>Uses</th>
<th>Neighborhood</th>
<th>Community</th>
<th>Regional</th>
<th>Other</th>
<th>Additional Regulations</th>
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<tbody>
<tr>
<td></td>
<td>CNP</td>
<td>CNA</td>
<td>CNR</td>
<td>CCA</td>
<td>CCP</td>
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<td>Entertainment</td>
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<td>Community Assembly Uses (Accessory Only &lt; 25% of GFA)</td>
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<td>Religious assembly uses with 1) up to 2,500 sq. ft. of GFA and 2) 100 or fewer occupants</td>
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<tr>
<td>Religious assembly uses with 1) between 2,501 sq. ft. and 25,000 sq. ft. GFA, or 2) more than 100 occupants</td>
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<td>Religious assembly uses with over 25,000 square feet of GFA</td>
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</table>
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<td>CCA</td>
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<td>C</td>
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<tr>
<td>Personal Services</td>
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| Basic personal services (barber/beauty shop, diet center, dog/cat grooming, dry cleaner, fortunetelling, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances or electronic equipment, bicycles, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic without boarding) | Y   | Y   | Y   | Y   | Y   | Y   | Y   | Y   | N   | See Section 21.52.232  
Limited to 2,500 square feet in neighborhood zones. |
| Fitness Facility up to 2,500 sq. ft. of GFA               | Y   | Y   | Y   | Y   | Y   | Y   | Y   | Y   | N   | See Section 21.52.232  
Limited to 2,500 square feet in neighborhood zones. |
| Fitness Facility between 2,501 to 25,000 sq. ft. of GFA,  | AP  | AP  | AP  | Y   | AP  | Y   | Y   | Y   | N   |                     |
| Fitness Facility over 25,000 sq. ft. of GFA              | N   | N   | N   | C   | N   | C   | C   | C   | N   |                     |
AFFIDAVIT OF POSTING

STATE OF CALIFORNIA  ) ss
COUNTY OF LOS ANGELES  )
CITY OF LONG BEACH  )

Tamela Austin being duly sworn says: That I am employed in the Office of the City Clerk of the City of Long Beach; that on the 12th day of December 2018, I posted three true and correct copies of Ordinance No. ORD-18-0030 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the entrance lobby of City Hall in front of the Information Desk; one of said copies in the Main Library; and one of said copies on the front counter of the Office of the City Clerk.

Subscribed and sworn to before me
This 12th day of December, 2018.