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ORDINANCE NO. ORD-24-0003

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING SECTION 21.35.120,  
TABLE 35-1, AND SECTION 21.45.170.L, ALL RELATED  
TO SIDEWALK VENDORS

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

Section 1. Section 21.35.120 of the Long Beach Municipal Code is  
hereby amended to read as follows:

21.35.120 Prohibited uses.

Any use not specifically permitted by Table 35-1 shall be prohibited.

TABLE 35-1

Uses in Park Districts

Use	District P
Adult-Use Cannabis Businesses (all categories)	N
Alcoholic beverage sales - with permitted or conditionally permitted uses	C
Amphitheater, band shell, performance stage and the like:	
a. With a seating capacity of up to 200 persons	Y

TABLE 35-1

Uses in Park Districts

(Continued)

Use	District P
b. With a seating capacity greater than 200 persons	C
Athletic facilities including sports fields, swimming pools, courts and the like	Y

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Campgrounds (except recreational vehicle campgrounds)	Y
Circuses	N
Comfort stations	A
Commercial recreation uses <sup>(a)</sup> (see definition, e.g., miniature golf courses, water slides, bicycle rentals, nonmotorized vehicles, and the like)	C
Commercial uses-other	N, except sidewalk vendors which are allowed pursuant to Chapter 5.73 of the LBMC.
Community gardens	Y
Community service uses <sup>(b)</sup> :	
a. Nonregional, City staffed	Y
b. Nonregional, nonprofit	C
c. Nonregional, for profit	N
Community service uses <sup>(b)</sup> -regional	N
Construction trailer	T
Cultural and educational uses (e.g., museums, ranchos, nature centers and the like)	Y
Daycare and preschools:	
a. Cooperatives and City staffed	Y
b. Nonprofit	C
Electronic video games (not to exceed 4 in any 1 building)	A
Exhibition grounds on a permanent basis for fairs, carnivals, trade shows and the like, or for continuation of fairs, carnivals, trade shows and the like beyond 10 days in length	N
Exhibitions, trade shows and the like	T
Fairs, festivals, carnivals, holiday celebrations, pageants, social events and the like for a period not to exceed 10 days	T
Food and beverage concessions (not including alcoholic)	A
Landscaped open areas	Y

1	Libraries of the City of Long Beach	C
2	Motor vehicle racing or testing	N
3	Natural habitat reserves or preserves	Y
4	Offices for the supervision and maintenance of park facilities, programs and activities	A
5	Parking (commercial)	N
6	Parks and related improvements	Y
7	Passive games and activities, and arts and crafts classes	Y
8	Police and fire stations, communication centers, schools, government buildings and the like	N
9	Private clubs (nonprofit and recreational only)	C
10	Recreational equipment sale and rental for use in park (except that motorcycles, motorized skateboards, mopeds and the like, are not permitted)	A
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12	Recreational vehicle campground	C
13	Recreational vehicle storage	N
14	Residential uses (except caretaker or guard facilities)	N

TABLE 35-1  
 Uses in Park Districts  
 (Continued)

Use	District P
Restaurants with or without alcoholic beverage sales	C
Sale of alcoholic beverage	C
Sewage and wastewater treatment of tertiary or more advanced level of treatment	A
Wireless Telecommunications Facilities (see Chapter 21.56)	C
Any use which violates the noise ordinance of the City	N

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1 Abbreviations: Y = Permitted as a principal use.

2 N = Not permitted.

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

4 A = Permitted as accessory use. Refer to Chapter 21.51.

5 T = Permitted as temporary use. Refer to Chapter 21.53.

6 (a) "Commercial recreation" is any recreational use in parks for which  
7 a fee is charged independent of City oversight. (See definition for "commercial  
8 recreation" in Section 21.15.565 and findings for such uses in the park P district in  
9 Section 21.52.610.)

10 (b) "Community service use" is a service provided for the health and  
11 welfare of the individual receiving the service. Such uses in parks do not include  
12 the permanent provision of food, shelter or medical services except for  
13 counseling, health fairs, medical screening and the like. Nonregional community  
14 service uses serve the local community—the neighbors nearby who require the  
15 service. Regional serving community service providers serve a much wider  
16 constituency.

17  
18 Section 2. Section 21.45.170 of the Long Beach Municipal Code is  
19 hereby amended to read as follows:

20 21.45.170 Vending carts.

21 Vending carts shall be allowed as open uses according to the  
22 following special development standards:

23 A. An administrative use permit shall be required by the City  
24 prior to issuance of a business license;

25 B. Vending carts are limited to developed nonresidential sites;

26 C. No more than two (2) signs, printed or affixed to each cart,  
27 which do not exceed two (2) square feet each, shall be permitted;

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1           D.     No sales shall be made to motorists or shall any sales  
2 interfere with vehicular traffic;

3           E.     No vending cart operator shall place or allow to be placed  
4 any permanent or temporary fixtures at the location of the vending activity,  
5 including, but not limited to, chairs, tables, advertising material or signs  
6 not affixed to the carts or storage facilities;

7           F.     The vending cart shall be prohibited from operating in any  
8 landscaped area;

9           G.     The vending cart shall not be located in any manner that  
10 blocks or impedes on-site vehicular or pedestrian circulation;

11          H.     The vending cart shall not be located in or impede access to  
12 any required parking stall or space;

13          I.     The vending cart may operate during the hours of the retail  
14 or office complex, unless the conditions of approval contain more  
15 restrictive hours of operation in which case the more restrictive hours shall  
16 apply;

17          J.     All vending carts shall be equipped with trash receptacles of  
18 an adequate size and quantity to accommodate all trash and refuse  
19 generated by such outdoor vending operation; and

20          K.     The vending cart operator shall possess a valid Health  
21 Department permit if food is prepared or sold.

22  
23           Section 3.     In accordance with the California Environmental Quality Act  
24 (CEQA), this project qualifies for a Categorical Exemption per Section 15301 (Existing  
25 Facilities); 15304 (Minor Alterations to Land) (e) for minor temporary use of land having  
26 negligible or no permanent effect on the environment; 15305 (Class 5 –Minor Alterations  
27 to Land Use Limitations), and that it is further exempt pursuant to Section 15308 (Actions  
28 by Regulatory Agencies for Protection of the Environment), as it will not result directly or

1 indirectly in significant environmental impacts. (CE-23-112).

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Section 4. 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 January 23, 2024, by the following vote:

Ayes: Councilmembers: Zendejas, Allen, Duggan, Supernaw, Kerr, Saro, Uranga, Austin, Ricks-Oddie.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Recusal(s): Councilmembers: None.

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

Approved: 1/23/2024  
(Date)

AFFIDAVIT OF POSTING

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

Alyssa Campos being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 25<sup>th</sup> day of January 2024, I posted three true and correct copies of Ordinance No. ORD-24-0003 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the lobby of City Hall in front of the Civic Chambers; one of said copies in the Billie Jean King Main Library; and one of said copies on the front counter of the City Clerk Department.

  
\_\_\_\_\_

Subscribed and sworn to before me  
This 25<sup>th</sup> day of January 2024.

  
\_\_\_\_\_  
CITY CLERK