



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4<sup>th</sup> Floor Long Beach, CA 90802 (562) 570-5237 Fax: (562) 570-6205

November 16, 2010

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive the supporting documentation into the record, conclude the hearing and adopt the Resolution to create an amnesty program for existing automobile sales businesses and to waive fees for a period of 60 days for Conditional Use Permit and Site Plan Review applications in subareas 1, 3 and 4 between Willow Street and Anaheim Street within the Long Beach Boulevard Planned Development District (PD-29). (Districts 1, 6, and 7)

**DISCUSSION**

Staff is requesting that the City Council approve an amnesty program for existing automobile sales businesses to waive fees for a period of 60 days for a Conditional Use Permit and Site Plan Review in subareas 1, 3 and 4 between Willow Street and Anaheim Street within the Long Beach Boulevard Planned Development District (PD-29) (Exhibit A – Area Map).

On May 8, 2007, staff presented to the City Council an ordinance creating performance standards for automobile sales businesses on Long Beach Boulevard between Willow Street and Anaheim Street. At the hearing, the City Council asked staff to expand the performance standards to include amortization of existing auto dealerships as well as newly established businesses. In addition, the requirement of the Conditional Use Permit and Site Plan Review were approved to allow staff the opportunity to review existing and future automobile sales businesses for appropriateness of location and design characteristics of the proposed structures. The approved performance standards require landscape buffers, screening, lighting and the requirement of a 1,000-square-foot minimum size showroom/business office. They also address the location of vehicle storage, repair areas, loading and unloading of vehicles and the use of sustainable materials. All existing auto dealers were allowed to continue operation for a period of two (2) years from the approved date of May of 2007, with the condition that by May of 2009 all automobile sales businesses were to apply for a Conditional Use Permit. After the approval of the ordinance, several courtesy letters were mailed in April, August, and September of 2007, as well as December of 2009, informing all auto dealerships of the new requirements of the ordinance including a time frame of when they were to file a Conditional Use Permit application with the Long Beach Development Services. However, given the current difficult economic situation, the Conditional Use Permit fee has proven to be a burden to submitting an application, which has stalled efforts to upgrade the corridor.

In summary, staff is recommending the City Council grant a 60-day amnesty period to waive fees for a Conditional Use Permit and Site Plan Review to allow auto dealers ample time for submittal of an application to Development Services. Letters will be mailed out to the affected dealerships informing them of the amnesty program and the filing requirements for a Conditional Use Permit application.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 06-054) was issued.

This letter was reviewed by Assistant City Attorney Michael Mais on October 25, 2010 and by Budget Management Officer Victoria Bell on November 5, 2010.

TIMING CONSIDERATIONS

Implementation of this program at the earliest possible date will facilitate the improvement of the Long Beach Boulevard corridor.

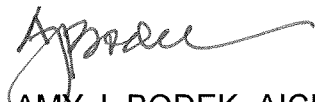
FISCAL IMPACT

Implementation of this amnesty program will result in a potential loss of revenue of up to \$210,000 from Development Services Fund (SR 137). There will be no impact to the General Fund.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

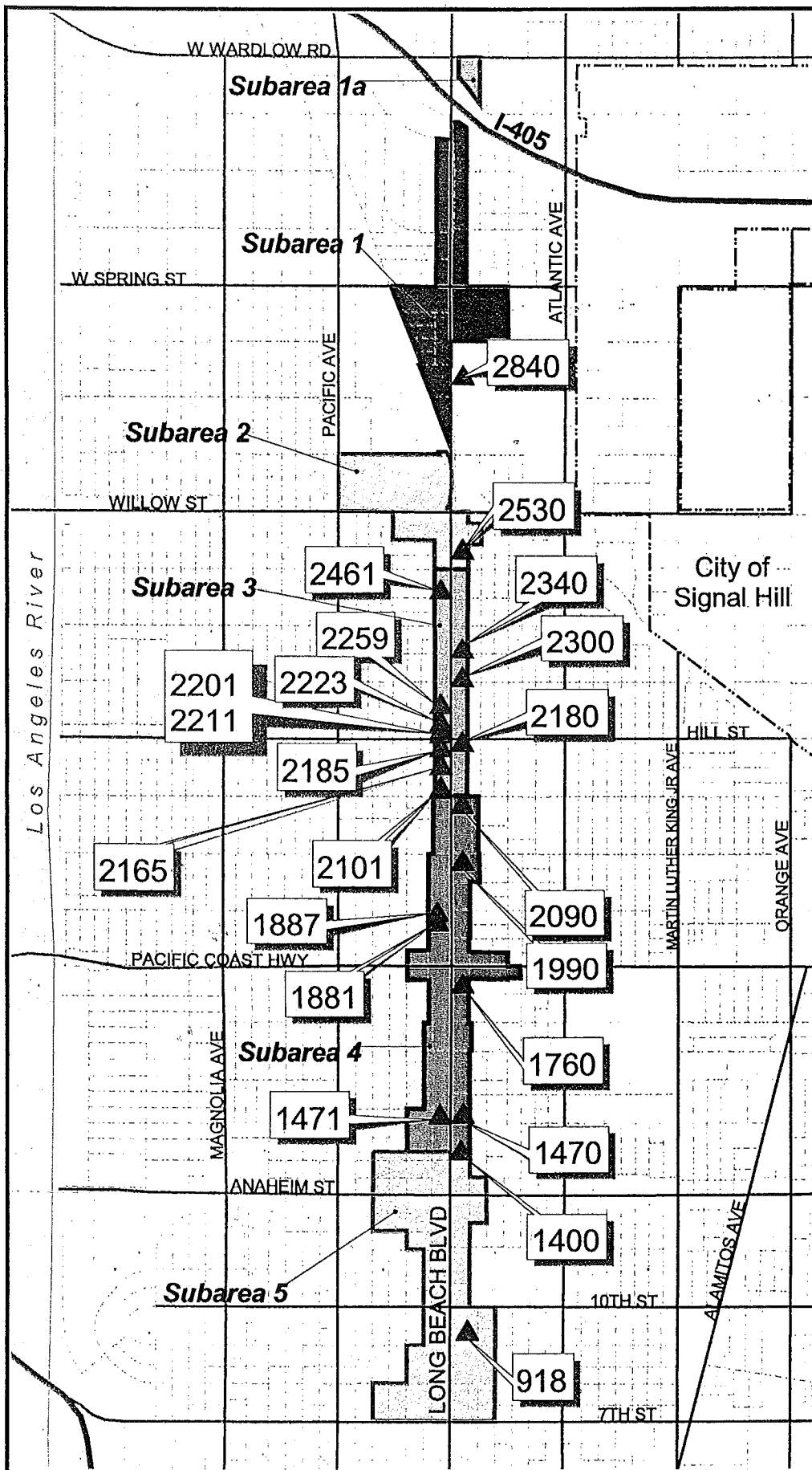
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Attachments: Resolution  
Exhibit A – Area Map

# Existing Used Auto Sales Businesses in the Long Beach Boulevard Planned Development District (PD-29)

Council Districts 1, 6, 7

Zone: PD-29



Scale = 1:25,000



1 RESOLUTION NO.  
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH PROVIDING FOR A TEMPORARY  
5 AMNESTY PROGRAM AND WAIVING CONDITIONAL USE  
6 PERMIT AND SITE PLAN REVIEW APPLICATION FEES  
7 FOR AUTOMOBILE SALES BUSINESSES LOCATED ON  
8 LONG BEACH BOULEVARD BETWEEN WILLOW STREET  
9 AND ANAHEIM STREET WITHIN THE LONG BEACH  
10 BOULEVARD PLANNED DEVELOPMENT DISTRICT  
11 (PD-29)  
12

13 WHEREAS, on May 15, 2007, the City Council of the City of Long Beach  
14 adopted Ordinance No. ORD-07-0021 which amended and restated the Long Beach  
15 Boulevard Planned Development District (PD-29) to expand the performance standards  
16 for certain automobile sales businesses located on Long Beach Boulevard between  
17 Willow Street and Anaheim Street and required all new automobile sales businesses to  
18 obtain a Conditional Use Permit and Site Plan Review, and likewise required all then  
19 existing automobile sales businesses to apply for, and receive, a Conditional Use Permit  
20 no later than May 2009.

21 WHEREAS, the fees related to the application and processing of  
22 Conditional Use Permits and Site Plan Review have proven to be an undue burden to  
23 automobile sales businesses that are subject to the provisions of the ordinance, which  
24 has stalled efforts to upgrade the Long Beach Boulevard corridor.

25 WHEREAS, staff recommends a sixty (60) day amnesty period from  
26 January 1, 2011 to March 1, 2011, during which time all fees related to Conditional Use  
27 Permit and Site Plan Review applications could be waived for those automobile sales  
28 businesses not currently in compliance with the existing regulatory ordinance;

OFFICE OF THE CITY ATTORNEY  
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NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The Director of Development Services ("Director") shall develop and administer a temporary amnesty program which will waive the application fees for Conditional Use Permits and Site Plan Review for automobile sales businesses located in Subareas 1, 3 and 4 of PD-29 between Willow Street and Anaheim Street for the period of January 1, 2011 to March 1, 2011.

Section 2. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2010, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

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