	1	ORD-7 ORDINANCE NO.													
	3		ŀ	N OR		ICE OI	- THE	CITY	OUNC	IL OF T	ΉE				
	4	с С		F LON	IG BEA	CH AI	MEND	ING TH	IE LON	G BEA	СН				
	5	N	IUNIC	IPAL (CODE E	BY AM	ENDI	IG SEC	CTIONS	3 21.15.	870;				
	6	TABLE 32-1 OF CHAPTER 21.32, TABLE 33-2 OF CHAPTER													
	7	21.33, AND SECTION 21.45.130; AND BY ADDING SECTION													
	8	21.15.875, ALL RELATING TO DRIVE-THROUGH FACILITIES													
	9														
	10	The City Council of the City of Long Beach ordains as follows:													
, ro	11														
FFICE OF THE CITY ATTORNEY HARLES PARKIN, City Attorney West Ocean Boulevard, 11th Floor Long Beach. CA 90802-4664	12	Section 1. Section 21.15. 870 of the Long Beach Municipal Code is													
KIN, City ATTORN KIN, City Attorn Soulevard, 11th CA 90802-4664	13	amended to read as follows:													
THE CITY ATTORNEY PARKIN, City Attorney san Boulevard, 11th Flo ach. CA 90802-4664	14	21.15.8	21.15.870 Drive-in restaurant.												
DF THI SS PAF Dcean Beach.	15	S	See "Drive-through facilities."												
OFFICE OF TH CHARLES PAI 333 West Ocean Long Beach.	16														
333 CI 0	17	Section 2. Table 32-1 of Chapter 21.32, "Automobile (Vehicle) Uses," is													
	18	amended to add "Drive-through facilities" to read as follows:													
	19		Neic	hborh	nood	, ^(6, 10) . An Law West, and Law (1) (1) (1)	Com	munity		Regi	Other				
	20	Automobile								onal					
	21 22	(Vehicle) Uses	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS				
	23 24	Drive- through facilities	N	С	N	С	С	С	С	С	N	Special standards apply (see Section			
	25		frein De Honorau al la calculation de facilit								1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.	21.45.130).			
	26	//													
	27	//													
	28														
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Table 32-1 of Chapter 21.32, "Financial Services," is amended Section 3. by amending "3. Drive-through facilities" to read as follows:

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	4	Neighborhood					Com	munity	, 	Regional	Other	and a state of the
	5	Financial Services	CNP	CNA	CNR	CCA	ССР	CCR	CCN	CHW	CS	
	6 7	3. Drive-	N	С	N	С	С	С	С	С	NI	Special standards apply (see
	8	through facilities	IN		IN	U	C	U	U		N	Section 21.45.130).
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	10 11	11										
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OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach. CA 90802-4664	14											
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1 2 Section 4. Table 32-1 of Chapter 21.32, "Restaurants and Ready-To-Eat

Foods," is amended to read as follows:

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3		1	-, -, -, -, -, -, -, -, -, -, -, -, -, -	hal status (sel 61) parten zu verstendetannis		e Successful Deltan da un sus apresentan a cua					
4	Change of the second	Neig	hborl	nood		Comn	nunity	r	Regional	Other	
5 6	Restaurants and Ready- To-Eat Foods	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
7 8 9											A Coastal Permit and encroachment permit are
10 11	Outdoor dining	А	A	A	A	A	A	A	A	Ν	required for all outdoor dining located
12 13	<i></i>										on public right-of-way within the
14											City's Coastal Zone.
15 16 17 18	Restaurants and ready- to-eat foods with drive- through facilities	N	С	N	С	С	С	С	С	Ν	Special standards apply (see Section 21.45.130).
19 20 21 22	Restaurant and ready- to-eat foods without drive- through facilities	Y	Y	Y	Y	Y	Υ	γ	Y	Ν	
23 24 25 26	Vending Carts	AP	AP	AP	AP	AP	AP	AP	AP	Ν	Special Standards apply (see Section 21.45.170)
20 27 28	//	L	<u>.</u>	<u></u>	<u></u>	L	<u></u>	L	I		J

Section 5. Table 33-2 of Chapter 21.33, "7.0 Retail Trade," is amended

2 and restated to read as follows:

3			19 Marine Mar	n g sa cua cumpet two camera and	4 Y 4 114 4 14 1 Y 40 1 4 14 14 14 14 14 14 14 14 14 14 14 14			
4	Use	١L	IM	IG	IP	*Notes and Exceptions		
5	7. Retail Trade	alon of factor our currential of the sec	in ar			a. Primarily, these uses are intended to serve nearby industries		
6 7	7.1 Eating places without drive-through facilities (SIC code	Y	Y	Y		and employees, and the retail's proximity will provide convenience with minimal impact on the retail		
8	5812*)					operations.		
9 10	7.2 Drive-through facilities (SIC code 5812*)	С	С	С	See	 Any business involved in the sale of alcoholic beverages shall be subject to conditional use permit 		
11		فروبان ومبدوره مازان ورور وروز الم	anany is stat chanter of a first street		item	review and shall meet the location requirements contained in Section		
12	7.3 Book and video stores; video rentals (SIC				10 in this	21.52.201.		
13	codes 5735, 5942, 7841)	Y	Y	Y	table.	The following exceptions do not require a conditional use permit:		
14 15	7.4 All other retail trade (SIC codes 52 through	Υ	С	С		Restaurants with alcoholic beverage service only with meals,		
16	57, 59)					whereby alcoholic beverage sales		
17	See item 13 in this table	aan a too an	· · · · · · · · · · · · · · · · · · ·			comprise 30 percent or less of the monthly gross sales of the		
18	for "drinking places." (SIC code 5813)					restaurant. This generally means that any use with a fixed bar is not exempt from the conditional use		
19					-	permit requirement. A service bar		
20						is not a fixed bar. A sushi bar where alcoholic beverages are		
21						served at the same bar as meals is considered as serving alcoholic		
22						beverages only with meals. A		
23			• •			cocktail lounge without a bar but with service primarily of hors		
24			Caracterization of the second			d'oeuvres and alcoholic beverages shall require a conditional use		
25						permit.		
26						Any use located more than 500		
27						ft. from a zone district which allows residential use.		
28		11 m. 17 alaan - Maraa	<u> </u>	Land as V Suckare	and the second s			

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	1	Use	IL	IM	IG	IP	*Notes and Exceptions
	2						Department store or florist shop with appearance of
	3						with accessory sales of alcoholic beverages.
	4						A grocery store of 20,000 sq. ft. or more with accessory sales of
	5						 alcoholic beverages. "Existing legal, nonconforming
	6						uses.
	7						c. Pawnshops (included within SIC code 5932) shall require a
	8						conditional use permit in all zones.
	9						d. Gasoline Service Stations (SIC code 5541) and Fuel Dealers (SIC
	10						code 598) shall be permitted in the
tEY ey Floor	11 12						IG district.
OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach. CA 90802-4664	12						e. Sales of firearms in the IL zone shall require a conditional use
N, City N, City Ulevarc A 9080	14						permit.
THE C PARK ean Bo ach. C	15						f. Drive-through facilities in all Industrial Districts require a
DFFICE OF THI CHARLES PAF 3 West Ocean Long Beach.	16						conditional use permit. Special Standards apply (see Section
0FFI 0FFI 333 W	17						21.45.130).
	18		<u> </u>	ente teria enere tore el l'assance.	<u> </u>	ananada (kantari ne Arrazan	
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	1 2	Section 6. Ta Institutional Uses," is amende			•		33, "9. Professional Office and					
CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach. CA 90802-4664		Use	IL	IM	IG	IP	*Notes and Exceptions					
	 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 	Use 9.0 Professional Office and Institutional Uses (SIC codes 60, 61, 62, 63, 64, 65, 66, 73 [except 7353 and 7359], 861, 862, 863, 864, 878* Division J (Public Administration)	IL Y	IM AP	IG	IP See item 10 in this table	 a. Prohibited in all industrial districts: 6099 (Functions related to depository banking, not elsewhere classified) 9223 (Correctional Institutions) 8744 (Jails, privately operated-correctional facilities, adult privately operated), except a "Community Correctional Re-entry Center," as defined in Section 21.15.602, may be permitted in the IL, IM and IG zone districts pursuant to a conditional use permit as set forth in Chapter 21.52 b. Offices are intended to serve nearby industries and employees. c. Emergency shelters (8322) shall be subject to the special development standards specified in Section 21.45.132. d. Adult-Use Cannabis Businesses subject to Chapter 5.92. e. Drive-through facilities in all Industrial Districts require a 					
	22 23						conditional use permit. Special standards apply (see Section 21.45.130).					
	24				1	an an Sarah di Bathara Sahalan						
	25 26 27 28	Section 7. Table 33-2 of Chapter 21.33, "10. Port-Dependent And Su Businesses," is amended and restated to read as follows:										
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OFFICE OF THE CITY ATTORNEY

	1	Use	IL	IM	IG	IP	*Notes and Exceptions
	2	10. Port-Dependent And Support	See Items	See Items	See Items	Y	 <u>Ancillary Port Facilities</u> - ship building and repair, towboat
	3	Businesses	1-9 and	1-9 and	1-9 and		and salvage operations, bunker barge loading,
	4		11-14	11-14	11-14		sportfishing launching, marine
	5		in this table	in this table.	in this table.		research, Coast Guard operations, marine-oriented
	6						fire protection, equipment storage for dredging and
	7						waterfront construction, oil spill
	8						
	9						 <u>Commercial/Recreational</u> <u>Facilities</u> - water-oriented
	10						parks, sightseeing, sportfishing, water skiing,
, Lo	11						restaurants, hotels, curio
RNEY orney th Flo 664	12						shops, marinas, boat sales and manufacturing, charter boat
ATTO ity Att ard, 11 802-4	13						operations, tackle shops, tourist attractions (e.g., Queen
OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Lond Beach. CA 90802-4664	14						Mary), vessel storage
DF THE S PAF Cean I cean I	15						<u>Federal Use</u> - shipyard and
FICE C HARLE West C Lona E	16					•	drydock operations, Navy Base and support
333, CF	17						Oil And Gas Production -
	18						including tankage, processing, drilling, and water injection
	19						
	20						 <u>Utilities</u> - Installations and rights-of-way, including SCE
	21						station on Terminal Island
	22						Adult-Use Cannabis
	23						Businesses (all categories) are prohibited
	24						 Drive-through facilities in all
	25						Industrial Districts require a
	26						conditional use permit. Special standards apply (see Section
	27		•				21.45.130).
	28			ald the set of the set		Programmer i contrar a antigo a foto provinci	
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Section 8. Section 21.45.130 of the Long Beach Municipal Code is amended to delete Figure 45-1 and amended and restated to read as follows:

21.45.130 Drive-through facilities.

Findings required. A decision-maker shall not grant a conditional use permit or other approval for a drive-through facility without finding:

A. Said facility has adequate vehicle queuing distance,
including with due consideration for menu board location, clear of any
adjacent public right-of-way, and shall not create any vehicular or pedestrian
travel hazards as demonstrated in a traffic study prepared to the satisfaction
of the Director of Development Services.

B. That the project substantially conforms with the purpose, intent and provisions of the General Plan, any applicable Specific Plan or Planned Development District, overlay, design guidelines, or other applicable regulation.

C. That the location and design of the facility is compatible with surrounding existing uses, includes a prominent main entrance at street or lot frontage, attractive landscaping, and includes sufficient pedestrian amenities, and interior floor area.

D. The said facility includes sufficient emissions controls to prevent idling vehicles, tunneling of emissions, and associated impacts on employees, visitors, and nearby sensitive receptors.

E. That said facility includes buffering sufficient to control any spillover impacts, including but not limited to noise, light, and debris that may impact surrounding sensitive receptors.

F. That said facility, if located within 150-feet of a residential zone, includes appropriate limits on hours of operation of the drive-through. Hours of operation for dine-in or take-out customers shall not be limited.

8

G. That said facility is not located in an area of existing

OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach. CA 90802-4664 1

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overconcentration of drive-through facilities and is not located within a 500foot radius of a school or park unless mitigating factors exist.

H. That development of the subject property shall not otherwise be suitable or necessary for more-intensive development that would advance the City's housing and economic goals, as described in the General Plan and Economic Blueprint.

8 Section 9. Section 21.15.875 is added to the Long Beach Municipal Code 9 to read as follows:

21.15.875 Drive-through facilities.

Drive-through or Drive-up facilities. An establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services. Examples include, but are not limited to, fast food restaurants, banks, dry cleaners, mortuaries, and pharmacies. Drive-through facilities do not include "click and collect" facilities in which an online order is picked up in a stationary retail business without use of a drive-in service.

Section 10. 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.

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