



## Legislation Details (With Text)

<b>File #:</b>	19-0296	<b>Version:</b>	1	<b>Name:</b>	DS - Drive Though Moratorium
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	3/14/2019	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	4/2/2019	<b>Final action:</b>		<b>Final action:</b>	4/9/2019
<b>Title:</b>	Recommendation to adopt a Minute Order declaring a citywide moratorium on accepting applications for new drive-through lanes at any new or existing business establishments; direct City Manager to have the Department of Development Services and the Planning Commission review the development standards for drive-through lanes and make recommendations to the City Council; and, request City Attorney to prepare an interim (moratorium) ordinance pursuant to Chapter 21.50 of the Long Beach Municipal Code for notice and placement on the City Council agenda for hearing at its third meeting following adoption of this Minute Order. (Citywide)				
<b>Sponsors:</b>	Development Services				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 040219-R-20sr&att.pdf, 2. 040219-R-20 Corresp. Healthy Communities.pdf, 3. 040919-UB-22sr&att.pdf				

Date	Ver.	Action By	Action	Result
4/9/2019	1	City Council	approve recommendation	Pass
4/9/2019	1	City Council	approve recommendation	Fail
4/2/2019	1	City Council	laid over	Pass

Recommendation to adopt a Minute Order declaring a citywide moratorium on accepting applications for new drive-through lanes at any new or existing business establishments; direct City Manager to have the Department of Development Services and the Planning Commission review the development standards for drive-through lanes and make recommendations to the City Council; and, request City Attorney to prepare an interim (moratorium) ordinance pursuant to Chapter 21.50 of the Long Beach Municipal Code for notice and placement on the City Council agenda for hearing at its third meeting following adoption of this Minute Order. (Citywide)

The Development Services Department has received a growing number of applications for drive-through establishments even as concerns regarding the safety, aesthetics, and environmental impacts of this activity continue to become more evident. The effects of drive-through lanes on the City's major streets are difficult to align with adopted policies to support creating more walkable and pedestrian friendly environments. Over the last five years, 19 drive-through applications have been submitted for review. Of these, 16 have been approved; 2 are pending; and 1 was denied. The number of drive-through applications has prompted the concerns expressed by members of the community, stakeholder groups, and the Planning Commission.

Considering these concerns, Development Services staff have begun to review current drive-

through regulations to consider how they might be revised to address the concerns expressed. Accordingly, staff is requesting the City Council to place a moratorium on accepting applications for new drive-through lanes at any new or existing business establishments. The moratorium would remain in place for 12 months or until the effective date of new drive-through regulations are adopted by the City Council, whichever comes first, unless otherwise extended by the City Council. During the moratorium, Planning Commission and staff will complete a comprehensive review of current drive-through regulations, conduct outreach with community and affected business group stakeholders, and prepare an outreach and implementation plan for the roll-out of new regulations.

Staff is recommending that drive-through lanes with approved conditional use permits (CUPs), as well as applications for CUPs submitted and application fees paid prior to the effective date of the moratorium, be exempt and allowed to proceed, including but not limited to the attached list of nine projects (Attachment A).

This matter was reviewed by City Attorney Charles Parkin and by Budget Analysis Officer Julissa José-Murray on March 20, 2019.

Based on the pattern of continual submittal of drive-through lane applications, timely action on a moratorium will limit further application submittals and allow staff and the Planning Commission time to assess current drive-through standards and recommend revisions to City Council, as necessary.

There is no fiscal or local job impact associated with this recommendation.

Approve recommendation.

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LINDA TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST  
CITY MANAGER