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Building A Better Long Beach

Alcohol Nuisance Abatement Ordinance

City Council

8/6/2013



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Background

- City Council request (July 2012):
 - Review current Zoning Regulations as they relate to existing liquor stores that have Type 21 (Off Sales General) licenses
 - Consider the feasibility of implementing performance standards and/or a Conditional Use Permit (CUP) requirement for those stores without such regulations
 - Consider possible incentives that could be offered to existing businesses that are willing to immediately accept the imposition of appropriate regulations
 - North Long Beach be established as a pilot study area for the proposed action



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Definitions

- **Liquor store**
 - Any business selling general alcoholic beverages, also known as sale of distilled spirits or hard liquor, for off-premises consumption under a "Type 21 License" of the California Alcoholic Beverage Control Board. Liquor store does not include a business selling only beer and/or wine for off-premises consumption (LBMC 21.15.1575).
- **Type 21 license**
 - Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises. (California Department of Alcohol Beverage Control).



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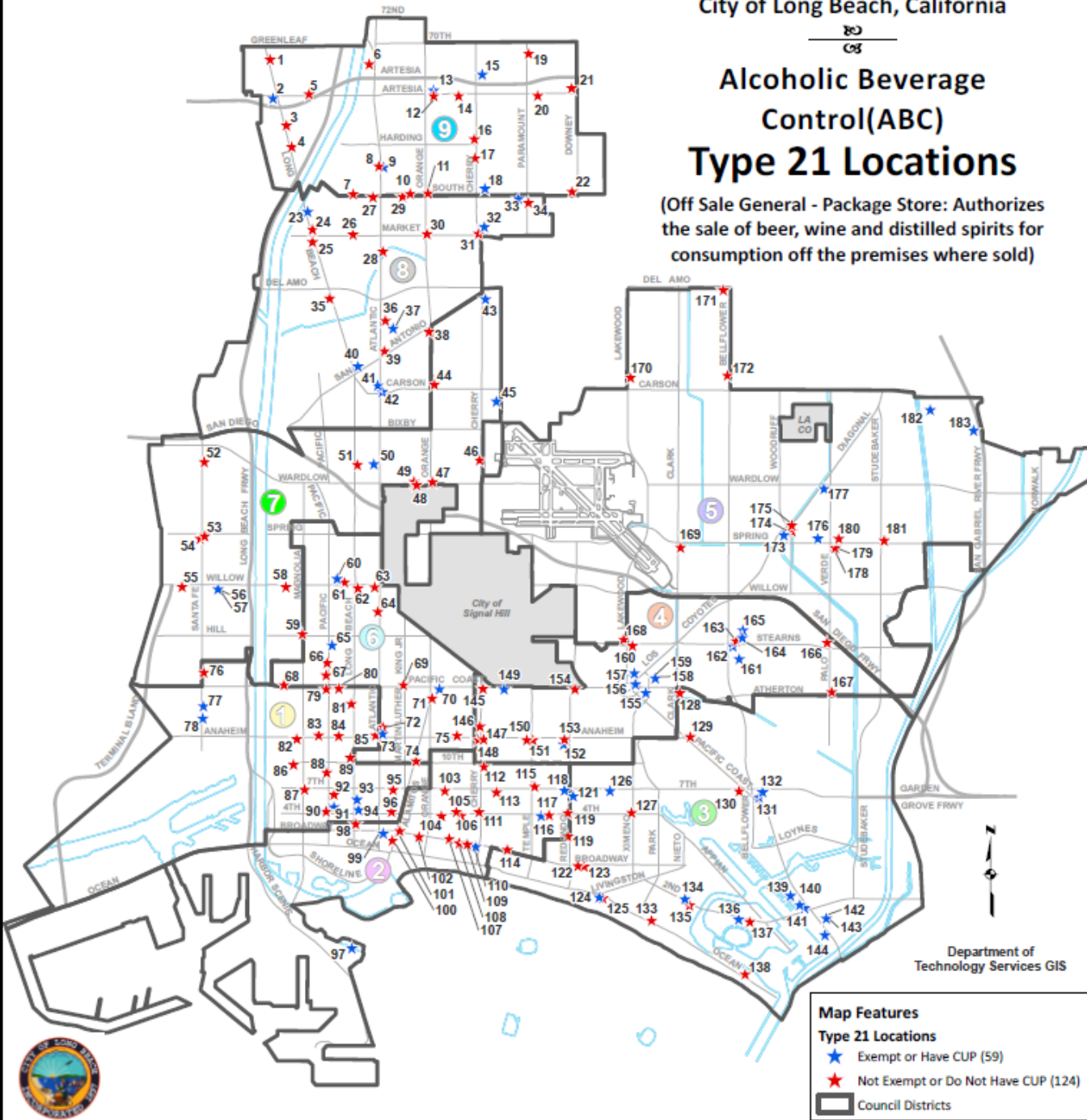
Current Zoning Regulations

- Liquor Stores are allowed in commercial zoning districts with a Conditional Use Permit (CUP)
- The CUP is a mechanism to review each application and attach necessary conditions of approval
- Liquor stores in existence prior to CUP requirement (1988) are considered legal nonconforming and operate without a CUP
- Certain establishments are exempt from the CUP requirement

Alcoholic Beverage Control(ABC) Type 21 Locations

(Off Sale General - Package Store: Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold)

Council District	Number of Locations	Not Exempt or No CUP	Exempt or Have CUP
1	21	16	5
2	24	19	5
3	24	11	13
4	23	13	10
5	16	10	6
6	16	12	4
7	17	13	4
8	20	13	7
9	22	17	5
Citywide	183	124	59



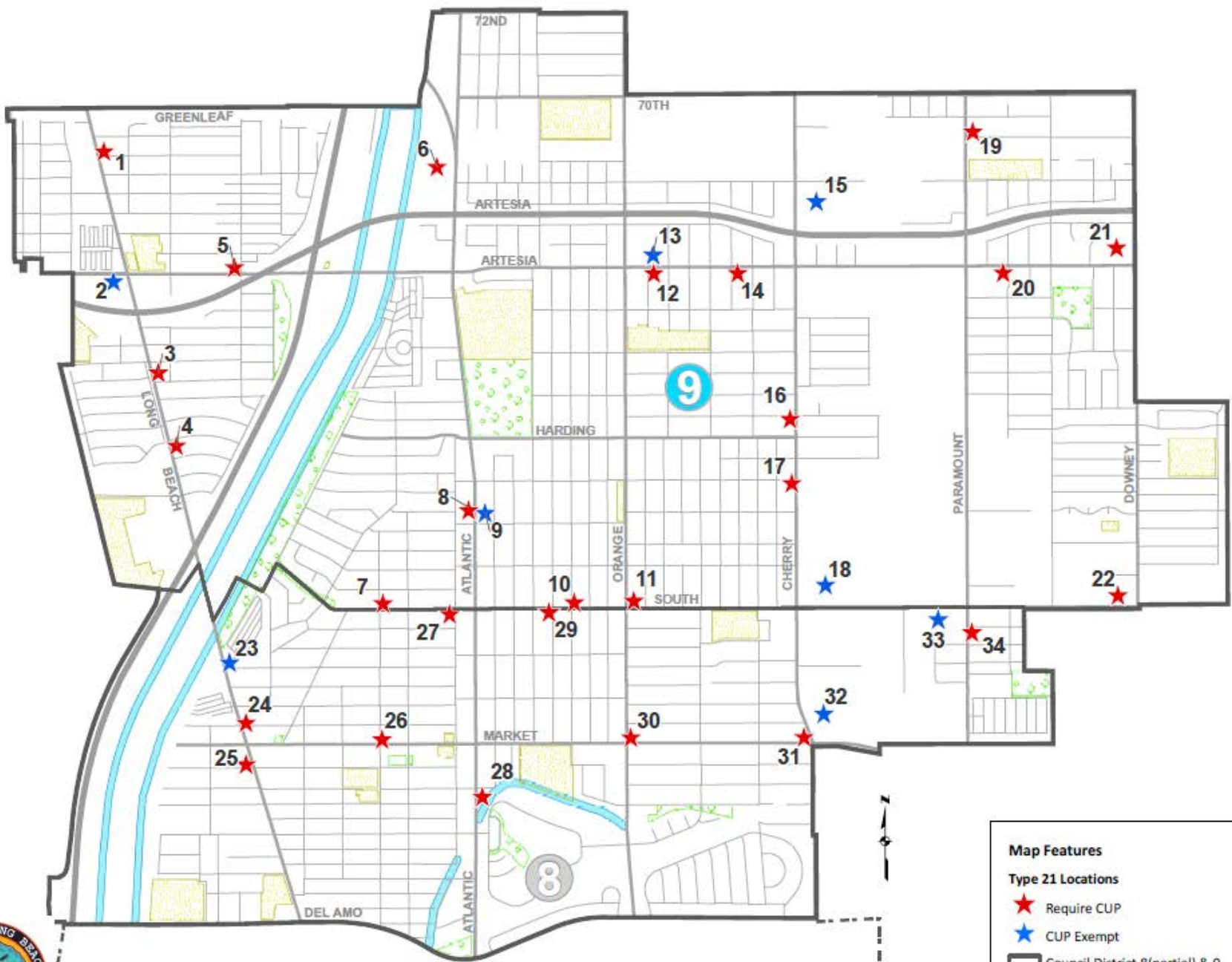
Department of Technology Services GIS

Map Features

Type 21 Locations

- ★ Exempt or Have CUP (59)
- ★ Not Exempt or Do Not Have CUP (124)
- Council Districts





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Map Features

Type 21 Locations

- ★ Require CUP
- ★ CUP Exempt
- Council District 8(partial) & 9
- Parks
- Schools



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Long Beach Alcohol Nuisance Abatement Ordinance (ANAO)

- The ANAO would apply to all legal nonconforming liquor stores
- Legal nonconforming establishments would be granted “Deemed Approved” status contingent on compliance with performance standards
- Non-compliance would result in additional standards or possible revocation of deemed approved status
- Revocation would not result in loss of business license, but would trigger CUP process, resulting in additional controls being added to the business



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Performance Standards

- Performance standards are the core of the ANAO
- Intended to reduce or eliminate nuisance activity associated with liquor stores
- Collaborative effort among Development Services, Police Department, City Attorney's Office, and input from community and business owners
- Do not regulate the sale of alcohol



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Performance Standards

- Require that liquor stores:
 - Do not result in any adverse effects, jeopardize, or endanger health, peace, or safety;
 - Are operated and maintained in accordance with all applicable local, state, or federal laws;
 - Are operated and maintained in a neat, quiet, and orderly condition so as not to be detrimental to surrounding properties and occupants;
 - Do not result in repeated nuisance activities



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Performance Standards

- Provide exterior lighting and security measures, including security cameras to the satisfaction of the Chief of Police
- No more than 10% of the square footage of the windows and transparent doors of the premises shall be covered or obstructed
- Remove all existing publicly accessible exterior pay phones
- Remove any graffiti found on the premises within 24 hours
- Display the building address on all sides of the building facing a public right-of-way, including an alley



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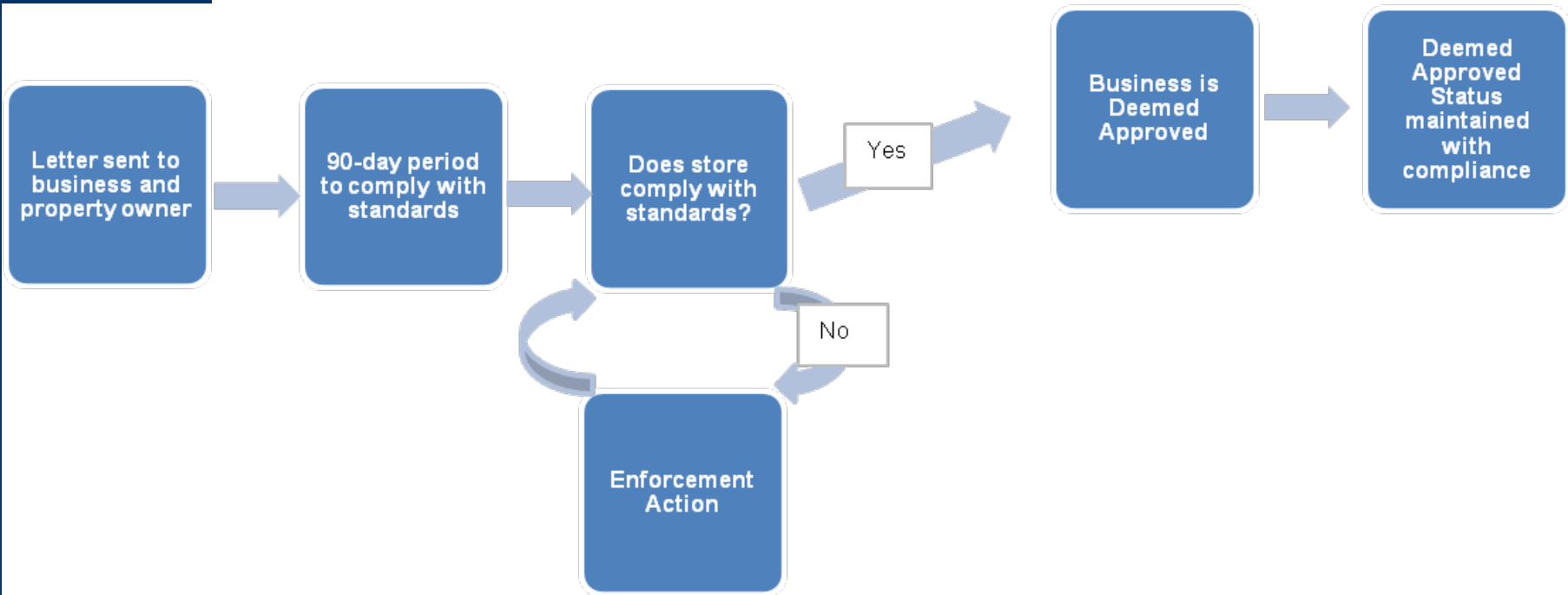




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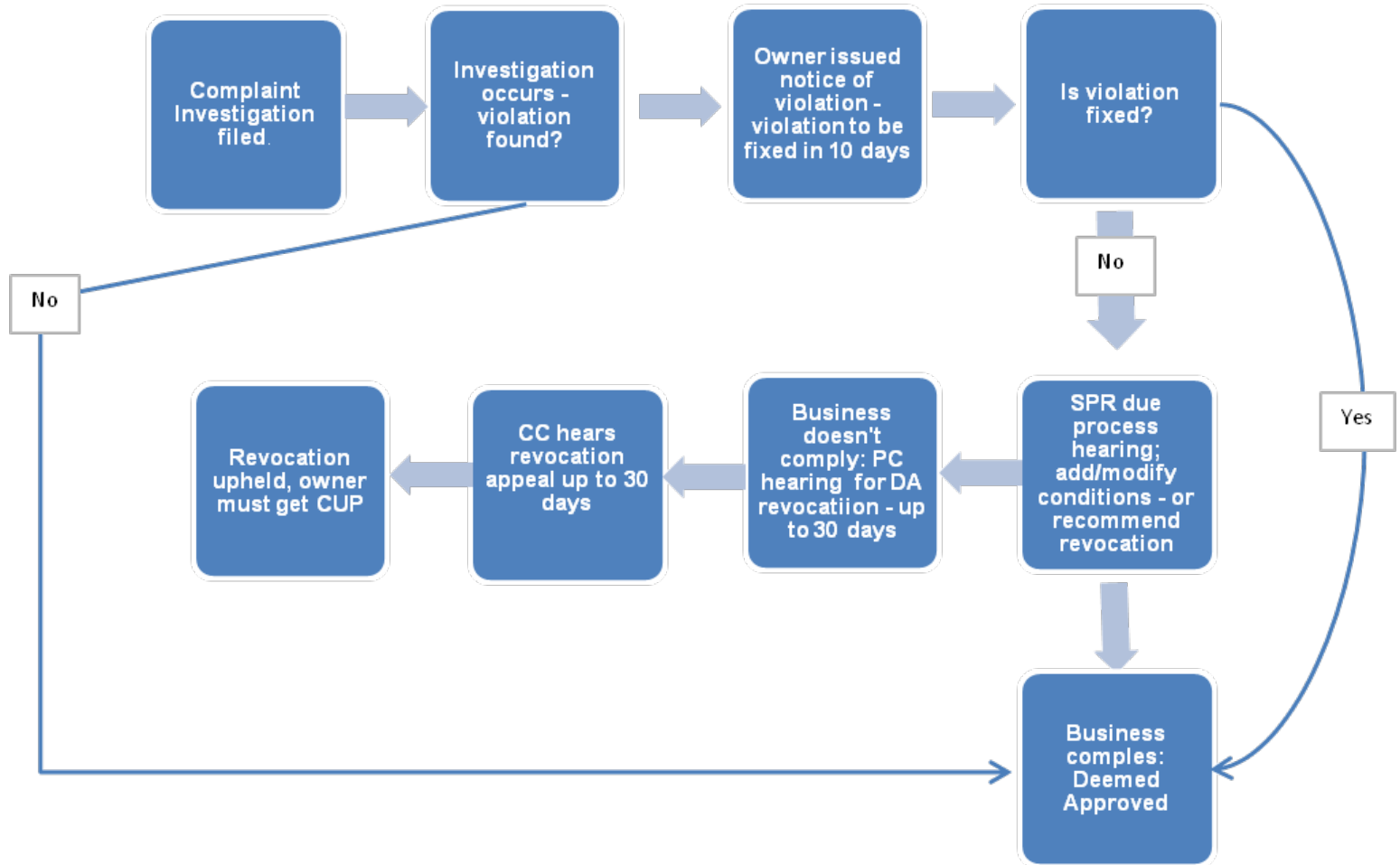
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Implementation Process





Enforcement Process





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Initial Implementation

- Request City Council resolution to begin initial implementation north of Del Amo Blvd.
 - Volume of liquor stores
 - Proportion of liquor stores operating without a CUP or other regulations
 - Nuisance activity associated with liquor stores in this location
 - The residential nature of the area and community desire for improved conditions
 - Benefits of small scale implementation