



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 (562) 570-5237

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**UB-22**

April 2, 2019

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach

California

## RECOMMENDATION:

Adopt a Minute Order declaring a citywide moratorium on accepting applications for new drive-through lanes at any new or existing business establishments; direct the 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 the 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)

## DISCUSSION

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.

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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.

#### TIMING CONSIDERATIONS

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.

#### FISCAL IMPACT

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

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LINDA TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

LT:CK

Attachment A – List of Current CUP Applications (Exempt from Moratorium)

APPROVED:



PATRICK H. WEST  
CITY MANAGER

# ATTACHMENT A

## CUP APPLICATIONS EXEMPT FROM THE MORATORIUM

### Approved CUP - Building Permits Pending Project Address

### Applicant

4700 Cherry Avenue	Kevin Le 801 S. Myrtle Avenue Monrovia, CA 91016
3639 E. 7th St.	Johanna Mumper + Jan Van Dijs 425 E. 4th St, Unit E Long Beach, CA 90802
6600 Atlantic Ave.	Atlantic & Artesia, LLC; Frontier Real Estate Investments
6141-6191 Atlantic Avenue	Westland Real Estate Group 520 W. Willow Street Long Beach, CA 90806
5865 E. Spring Street	George Younan 17042 Devonshire St, Ste. 214 Northridge, CA 91325
2528 / 2590 N. Lakewood Boulevard	McKently / Malak Architects Ken McKently 35 Hugus Alley, Suite 200 Pasadena, California 91103

### Complete CUP Applications-Fees Paid

739 E. Anaheim St.	McKently Malak Architects 35 Hugus Alley, Ste. 200 Pasadena, CA
1320 Atlantic Ave.	McKently Malak Architects 35 Hugus Alley, Ste. 200 Pasadena, CA
7250 Carson Blvd	Michael Gant