



# CITY OF LONG BEACH

# R-13

DEPARTMENT OF DEVELOPMENT SERVICES

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

May 12, 2015

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record and adopt a Resolution directing the further implementation of the Alcohol Nuisance Abatement Ordinance (ANAO). (Citywide)

## DISCUSSION

In January 2014, staff began limited implementation of the Alcohol Nuisance Abatement Ordinance (ANAO), adopted by the City Council on August 6, 2013 (Exhibit A – Alcohol Nuisance Abatement Ordinance and Resolution). The initial implementation of the ANAO was restricted by Resolution adopted by the City Council to the Eighth and Ninth Council Districts north of Del Amo Boulevard. The initial implementation included 26 existing legal non-conforming liquor stores operating without a Conditional Use Permit (CUP). Staff worked directly with the business and property owners to implement the requirements of the ANAO and help those stores achieve compliance. Requirements of the ANAO include, but are not limited to, the following:

- The store must provide exterior lighting and security measures to the satisfaction of the Chief of Police.
- No more than 10 percent of store windows and transparent surfaces may be covered or obstructed by advertising, signage, product, shelving, or other display items.
- All existing exterior pay telephones shall be removed.
- The building address shall be displayed on all sides of the building facing a public right-of-way, including an alley.
- The business is operated and maintained in a neat, quiet, and orderly condition, and operated in a manner so as not to be detrimental to surrounding properties and occupants.
- The business does not result in any adverse effects, jeopardize, or endanger the health, peace, or safety of persons residing, visiting, or working in the surrounding area.

Each of the 26 stores in the initial implementation phase have met the requirements of the ANAO regulations, resulting in tangible improvements throughout North Long Beach. To assist in the implementation of the ANAO, business and property owners were offered the opportunity to participate in the City's Commercial Improvement Rebate Program. Five business or property owners were approved for the program, and received up to \$2,000 each for new code-compliant windows, exterior paint or signage.

The aesthetic and operational improvements required by the ANAO have helped provide business and property owners, patrons, and neighborhood residents with a cleaner, safer and more aesthetically friendly environment. The requirement to remove signs, advertisements, products, and shelving from windows has not only increased the safety of the area by adding more "eyes on the street," but has also created a more pleasant shopping experience for residents and a better working environment for employees. Enhanced lighting and surveillance systems have improved the safety and security in and around the stores. The removal of exterior pay phones has reduced loitering and other unlawful activity. Most importantly, the ANAO has elevated the community's standards and expectations for the operations, aesthetics and safety of liquor stores, and raised the awareness of the impact that these uses may have in Long Beach neighborhoods.

Given the effectiveness of the ANAO in its initial implementation and the number of liquor stores (establishments with an Alcohol Beverage Control Type 21 license that do not currently have a CUP) in other areas of the City (Exhibit B – ABC Type 21 Locations), staff is requesting that the City Council expand the application of the ANAO citywide. New areas of the City will be subject to the ANAO based on the availability of staff resources and on the documented existence of Type 21 licenses without a CUP.

This matter was reviewed by Assistant City Attorney Michael J. Mais on April 15, 2015 and by Budget Management Officer Victoria Bell on April 22, 2015.

#### TIMING CONSIDERATIONS

City Council action is requested on May 12, 2015, to allow the implementation of the ANAO in other areas of the City.

#### FISCAL IMPACT

There is no fiscal or local job impact as a result of the recommended action.

#### SUGGESTED ACTION:

Approve recommendation.

HONORABLE MAYOR AND CITY COUNCIL

May 12, 2015

Page 3 of 3

Respectfully submitted,



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LT:bb

P:\Planning\City Council Items (Pending)\Council Letters\2015\2015-05-12

Attachments: City Council Resolution  
Exhibit A – Alcohol Nuisance Abatement Ordinance  
Exhibit B – ABC Type 21 Locations

APPROVED:



PATRICK H. WEST  
CITY MANAGER

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

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH DIRECTING IMPLEMENTATION OF  
THE ALCOHOL NUISANCE ABATEMENT ORDINANCE  
CITYWIDE

WHEREAS, on August 6, 2013, the City Council approved and adopted an  
"Alcohol Nuisance Abatement Ordinance" (ANAO) by adding Chapter 21.57 to the  
Municipal Code of the City of Long Beach;

WHEREAS, the purpose of adopting the ANAO was, and is, in part, to  
curtail nuisance and criminal activities such as drug dealing, public drunkenness, loitering  
and other behaviors that negatively impact neighborhoods and which occur with  
disproportionate frequency at and around the premises of liquor stores offering the off-  
site sale of alcohol;

WHEREAS, the City Council, by Resolution No. RES-13-0061 adopted  
August 6, 2013, directed that the initial implementation of the ANAO should commence in  
the Eighth and Ninth Council Districts. Said Resolution was based upon the fact that said  
districts: 1) had a significantly higher ratio of liquor stores that were not regulated by the  
Conditional Use Permit (CUP) process because many were established prior to the  
requirement to obtain a CUP; 2) that many of said liquor stores were located in densely  
populated residential areas which too often had proven a catalyst for the types of  
nuisance related behaviors as described above; and 3) that the residents and business  
owners located in the 8<sup>th</sup> and 9<sup>th</sup> Council Districts had been extremely vocal in bringing  
this issue to the City Council for its review, attention and consideration.

WHEREAS, in January, 2014, staff of the Development Services  
Department began implementation of the ANAO as directed by the City Council in the  
Eighth and Ninth Council Districts, which implementation included 26 legal non-

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1 conforming liquor stores coming into compliance with the various requirements of the  
2 ANAO, all of which implementation activity has resulted in tangible improvements  
3 throughout the North Long Beach area.

4 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
5 follows:

6 Section 1. The City Council now authorizes the full implementation of the  
7 Alcohol Nuisance Abatement Ordinance to begin citywide.

8 Section 2. That prior to the enforcement of the ANAO, City staff will  
9 provide at least ninety (90) days written notice to each liquor store that will be required to  
10 meet the operational and performance standards set forth and required by the ANAO.

11 Section 3. This resolution shall take effect immediately upon its adoption  
12 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

13

14 I hereby certify that the foregoing resolution was adopted by the City  
15 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2015, by the  
16 following vote:

17 Ayes: Councilmembers: \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_

21 Noes: Councilmembers: \_\_\_\_\_  
22 \_\_\_\_\_

23 Absent: Councilmembers: \_\_\_\_\_  
24 \_\_\_\_\_

25

26

27

28

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

ORDINANCE NO. ORD-13-0012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY ADDING CHAPTER 21.57 RELATING TO ALCOHOL NUISANCE ABATEMENT

WHEREAS, nuisance and criminal activities such as drug dealing, public drunkenness, loitering and other behaviors that negatively impact neighborhoods occur with disproportionate frequency at and around the premises of liquor stores offering the sale of alcohol for off-site consumption; and

WHEREAS, neighborhood character can change over time and the careful regulation of nuisance activity at liquor stores and other similar uses will help to ensure that such uses do not contribute to the deterioration of neighborhoods; and

WHEREAS, the citizens of the City of Long Beach have complained to various City departments including the Police Department about said nuisances and criminal activities at liquor stores; and

WHEREAS, there are many liquor stores in the City of Long Beach selling alcoholic beverages that do not conform with the current zoning regulations and, as a result, these establishments generate a disproportionate amount of public nuisance calls for service for the Long Beach Police Department; and

WHEREAS, California law does not preempt local land use decisions with regard to liquor store regulations and the authority to regulate nuisance conditions created by such retailers derives solely from the City's general police powers; and

WHEREAS, the ability of local governments in California to regulate certain aspects of alcohol sales is limited by the California Constitution; and

WHEREAS, despite those limitations, many local agencies, including the City of Long Beach, have effectively used their constitutionally conferred police power to

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1 create land use tools, such as conditional use permits and administrative use permits to  
2 regulate the ancillary aspects of alcoholic beverage sales without interfering with the  
3 exclusive authority of the California Department of Alcoholic Beverage Control (ABC);  
4 and

5 WHEREAS, a legal nonconforming or "grandfathered" liquor store that  
6 retains the same type of liquor license type over time, continuously operates, and does  
7 not substantially change its mode or character of operation, must be allowed to continue  
8 its operation, even if local land use controls are subsequently adopted; and

9 WHEREAS, to address their inability to regulate grandfathered liquor store  
10 establishments, many California cities have adopted so-called "deemed approved  
11 ordinances;" and

12 WHEREAS, a deemed approved ordinance is a tool that allows a local  
13 agency to exercise appropriate authority over grandfathered establishments through the  
14 imposition of nuisance-based performance standards; and

15 WHEREAS, these performance standards focus on preventing nuisance  
16 and criminal activity that may be associated with alcoholic beverage sales at liquor  
17 stores; and

18 WHEREAS, certain grandfathered liquor store establishments in the City of  
19 Long Beach have been the source of late-night incidents involving fights, loitering,  
20 drinking in public and other nuisance activities which have generated a significant  
21 demand on police resources; and

22 WHEREAS, under a deemed approved ordinance, the sale and service of  
23 alcoholic beverages at grandfathered liquor stores is a deemed approved activity so long  
24 as the liquor store complies with the general performance standards required of the  
25 deemed approved status; and

26 WHEREAS, California courts have upheld both alcohol specific zoning  
27 regulations and the deemed approved approach of imposing nuisance-based  
28 performance standards on grandfathered establishments; and

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1 WHEREAS, given the limitations established by state law, deemed  
2 approved ordinances are perhaps the most effective tool to address the impact of  
3 nuisance and criminal activity that may be caused by alcoholic beverage establishments  
4 such as liquor stores, especially when voluntary compliance and education prove  
5 ineffective; and

6 WHEREAS, the City has considered numerous means of addressing such  
7 issues and conducted outreach with stakeholders; and

8 WHEREAS, the City Council directed staff to move aggressively to prepare  
9 a deemed approved ordinance and to make other relevant changes to allow the City to  
10 more effectively regulate non-conforming liquor store establishments and to provide tools  
11 that can be used to prevent and abate nuisance activities that may occur in such  
12 establishments; and

13 WHEREAS, City staff have prepared an ordinance that has been carefully  
14 drafted, under the City's police power, to be in compliance with constitutional and  
15 statutory requirements and with existing case law so as to address Council's direction.

16  
17 NOW, THEREFORE, the City Council of the City of Long Beach ordains as  
18 follows:

19 Section 1. The Long Beach Municipal Code is amended by adding  
20 Chapter 21.57 to read as follows:

21 Chapter 21.57

22 Alcohol Nuisance Abatement

23 21.57.010

24 These provisions shall be known as the Alcohol Nuisance Abatement  
25 "Deemed Approved" Ordinance.

26  
27 21.57.020 Definitions.

28 "Liquor store" means any business selling general alcoholic



1 beverages, also known as sale of distilled spirits or hard liquor, for off-  
2 premises consumption under a "Type 21 License" of the California  
3 Department of Alcoholic Beverage Control. Liquor store does not include a  
4 business selling only beer and/or wine for off-premises consumption.

5 "Performance Standards" means the regulations prescribed below for liquor  
6 store activities with deemed approved status. An establishment must comply with  
7 the performance standards in order to retain its deemed approved status. Such  
8 compliance shall be determined by the City of Long Beach, and includes the  
9 following:

10 A. The use does not result in any adverse effects, jeopardize, or  
11 endanger the health, peace, or safety of persons residing, visiting, or  
12 working in the surrounding area;

13 B. The use is operated and maintained in accordance with all  
14 applicable local, state, or federal codes, laws, rules, regulations and  
15 statutes including those of the ABC, the City's General Plan, and all zoning  
16 or nuisance regulations of the City.

17 C. The use is operated and maintained in a neat, quiet, and  
18 orderly condition and operated in a manner so as not to be detrimental to  
19 surrounding properties and occupants. This shall encompass the upkeep  
20 and maintenance of exterior facades of the building, landscaping,  
21 designated parking areas serving the use, fences, and the perimeter of the  
22 site, including all public sidewalks, alleys, and parkways.

23 D. The use does not result in repeated nuisance activities, as  
24 defined in Chapter 9.37 of this Code on or near the premises, including but  
25 not limited to disturbance of the peace, illegal drug activity, public  
26 drunkenness, drinking in public, harassment of passersby, gambling,  
27 prostitution, sale of stolen goods, public urination, theft, assaults, batteries,  
28 acts of vandalism, excessive littering, loitering, graffiti, illegal parking,

1 excessive loud noises especially in the late night or early morning hours,  
2 traffic violations, curfew violations, lewd conduct, or police detentions and  
3 arrests;

4 E. The use provides exterior lighting and security measures to  
5 the satisfaction of the Chief of Police including:

6 1. Exterior lighting consisting of high-pressure sodium or  
7 equivalent type, with a minimum illumination intensity of a 1.25 foot-candle.  
8 All exterior light fixtures shall be vandal resistant, installed on exterior walls,  
9 and should be the type with proper cut-offs to avoid glare and night sky  
10 glow. Exterior lighting shall clearly illuminate the building address, all  
11 parking, driving, and walking surfaces, and exterior doors during the hours  
12 of darkness. Activation of the required exterior lighting shall be either by a  
13 photocell device or a time clock. Any broken or burned out lights shall be  
14 required to be replaced within seventy-two (72) hours;

15 2. Security cameras providing full camera coverage of all  
16 entries and exits into the building and full camera coverage of all public  
17 rights-of-way and private parking areas provided by the business. Cameras  
18 must record in color with output of at least four hundred eighty (480) lines  
19 resolution. Recordings shall be retained for no less than thirty (30) days on  
20 an IP-configurable Digital Video Recorder (DVR) or digital storage setup  
21 with a public IP address. The surveillance system username and password  
22 shall be provided to the Long Beach Police Department.

23 F. No more than ten percent (10%) of the square footage of the  
24 windows and transparent doors of the premises shall be allowed to bear  
25 advertising, signs or any other obstructions including products, shelving,  
26 display items and/or coolers. All advertising, signage, product, shelving,  
27 display items and/or coolers shall be placed and maintained to ensure a  
28 clear and unobstructed view of the establishment's interior. Window signs

1 displaying prices shall be prohibited. No advertising or signage shall be  
2 placed in the area above three (3) feet or below six (6) feet in height of all  
3 windows measured from grade.

4 G. All existing publicly accessible exterior pay telephones shall  
5 be removed, including the housing of the pay telephone. No new publicly  
6 accessible exterior pay telephone may be located on any private property or  
7 any public right-of-way adjacent to a deemed approved liquor store activity.

8 H. Any graffiti found on the walls, fences, pavement or buildings  
9 shall be removed within twenty-four (24) hours of its appearance on the  
10 property.

11 I. The building address shall be displayed on all sides of the  
12 building facing a public right-of-way, including an alley, and clearly visible  
13 from each public right-of-way, including the alley.

14 J. A copy of these performance standards, additional City or  
15 ABC imposed operating conditions, and a twenty-four (24) hour complaint  
16 telephone number shall be posted in a conspicuous and unobstructed place  
17 visible from the entrance of the establishment in public view.

18 "Deemed Approved Liquor Store" means any commercial land use  
19 where the sale of beer, wine, or distilled spirits was a legal nonconforming  
20 use prior to the effective date of this Chapter.

21 "Nonconforming use" or "Nonconformity," for the purposes of this  
22 Chapter, means a building which was lawfully established but which, due to  
23 the application of this Title, no longer conforms to the regulations of the  
24 zone in which it is located. (See Section 21.15.1860.)

25  
26 21.57.030 Purpose.

27 The purpose of this ordinance is to protect and promote the public  
28 health, safety, comfort, convenience and general welfare of the community

1 by imposing anti-nuisance related performance standards on legal  
2 nonconforming liquor store activities with the incorporation of performance  
3 standards, the sale of alcohol becomes a conforming activity; however, all  
4 other nonconformities remain subject to the provisions of Chapter 21.27.

5  
6 21.57.040 Applicability.

7 This Alcohol Nuisance Abatement Deemed Approved Ordinance  
8 shall apply to all legal nonconforming liquor stores in the City of Long Beach  
9 on the effective date of this Chapter. The following establishments with a  
10 Type 21 ABC license are exempt from the ANAO: those with a current  
11 CUP, establishments that are located more than five hundred feet (500')  
12 from zoning districts allowing residential uses, and grocery stores of twenty  
13 thousand (20,000) square feet or greater with accessory sales of alcohol.

14  
15 21.57.050 Automatic Deemed Approved.

16 A. All liquor stores that were legal nonconforming uses  
17 immediately prior to the effective date of this Chapter shall automatically be  
18 granted deemed approved status for the liquor store activity and shall no  
19 longer be considered legal nonconforming uses.

20 B. Each deemed approved liquor store activity shall retain its  
21 deemed approved activity status as long as it complies with the  
22 performance standards as defined in Section 21.57.020 of this Chapter.

23 C. Any expansion, alteration, or modification in character of the  
24 deemed approved liquor store shall conform to the City's Zoning Code  
25 including obtaining permits required under Chapter 21.25 of this Code.

26  
27 21.57.060 Performance Standards.

28 A liquor store activity shall retain its deemed approved status only if it

1 conforms to all of the nuisance based performance standards defined in  
2 21.57.020; such conformance shall be determined by the City of Long  
3 Beach.

4  
5 21.57.070 Administration and Enforcement.

6 A. Within ninety (90) days of the effectiveness of this Chapter,  
7 each deemed approved liquor store activity shall fully comply with the  
8 nuisance based performance standards set forth in Section 21.57.020.

9 B. Upon receiving a complaint from the public, Police  
10 Department, Code Enforcement, or any interested person that a deemed  
11 approved liquor store activity is in violation of the standards set forth in  
12 Sections 21.57.020, the following procedure shall be followed:

13 1. The City shall assess the nature of the complaint and  
14 its validity by conducting an investigation of the premises to assess the  
15 liquor store activity's compliance with the applicable standards. The City  
16 shall provide the business and/or property owner, as appropriate, with  
17 written notice of any complaint received or investigation commenced by the  
18 City relative to the liquor store activity's alleged failure to abide by the  
19 regulations set forth in this Chapter.

20 2. Upon establishing the validity of a complaint, the City  
21 shall issue a notice of violation to the business and/or property owner of the  
22 subject deemed approved liquor store activity. The business and/or  
23 property owner shall correct the violation, or take reasonable action to begin  
24 correction, and shall diligently pursue completion of the correction within ten  
25 (10) days after receiving written notification of the violation. At the end of  
26 the correction period, the City shall determine if the violation has been  
27 corrected. If violations have not been corrected within the prescribed  
28 period, the City shall then refer the matter to the Site Plan Review

1 Committee for further review and action.

2 3. The Site Plan Review Committee shall conduct a  
3 hearing on the validity of the complaint. At the conclusion of the hearing,  
4 the Site Plan Review Committee shall have the authority to add or modify  
5 performance standards to insure that nuisance activity or conditions are  
6 eliminated. Actions taken by the Site Plan Review Committee are  
7 appealable by any aggrieved party to the Planning Commission. The  
8 decision of the Planning Commission on appeal shall be final.

9  
10 21.57.080 Revocation of Deemed Approved Status.

11 A. If a deemed approved liquor store activity continues to violate  
12 the provisions of this Chapter after intervention by the Site Plan Review  
13 Committee, the City may refer the matter to the Planning Commission for a  
14 revocation hearing according to the procedures of Division VI,  
15 "Revocations", of Chapter 21.21 of this Code.

16 1. Based on its findings and determination after hearing,  
17 the Planning Commission may:

18 a. Continue the deemed approved activity status  
19 for the liquor store in question;

20 b. Issue an administrative citation and impose  
21 administrative penalties for violation of applicable standards in accordance  
22 with Chapter 9.65 of this Code;

23 c. Impose such reasonable conditions as are in the  
24 judgment of the Planning Commission necessary to ensure compliance with  
25 the applicable standards; or

26 d. Revoke the liquor store's deemed approved  
27 activity status.

28 2. If the Planning Commission determines to impose

1 further new conditions on the deemed approved liquor store activity, such  
2 conditions shall be based upon the information then before the Planning  
3 Commission.

4 3. If the Planning Commission finds that conditions and/or  
5 modifications of the liquor store will be ineffective in eliminating the adverse  
6 activities, the Planning Commission shall revoke the deemed approved  
7 activity status of the liquor store.

8 4. Continuation of any use after abandonment or  
9 revocation pursuant to this Chapter shall constitute a violation of this Code  
10 and shall be penalized as provided for in Section 21.10.080.

11 5. Any aggrieved party may appeal the determination of  
12 the Planning Commission to the City Council in accordance with the  
13 provisions set forth in Division V, "Appeals", of Title 21 of this Code. The  
14 decision of the City Council on appeal shall be final.

15  
16 21.57.090 Fee.

17 A. The administrative citation process described in this Chapter  
18 does not preclude the City from recovering any other code violation or  
19 nuisance abatement costs incurred by the City in performing its code  
20 enforcement efforts.

21 B. The City may collect a fee to recover costs associated with  
22 the inspection and enforcement of this Chapter in accordance with the City  
23 Council adopted fee resolution.

24  
25 Section 2. Environmental Determination. The project is exempt from  
26 environmental review per CEQA Guidelines under Section 15061(b)(3) which states "that  
27 if an activity is covered by the general rule that CEQA applies only to projects which have  
28 the potential for causing a significant effect on the environment and where it can be seen

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1 with certainty that there is no possibility that the activity in question may have a significant  
2 effect on the environment, the activity is not subject to CEQA".  
3

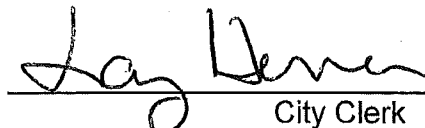
4 Section 3. The City Clerk shall certify to the passage of this ordinance by  
5 the City Council and cause it to be posted in three (3) conspicuous places in the City of  
6 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
7 Mayor.

8  
9 I hereby certify that the foregoing ordinance was adopted by the City  
10 Council of the City of Long Beach at its meeting of August 13, 2013, by the  
11 following vote:

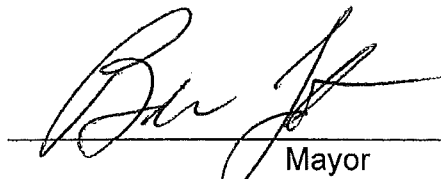
12  
13 Ayes: Councilmembers: Garcia, Lowenthal, O'Donnell, Schipske,  
14 Andrews, Johnson, Austin, Neal.  
15 \_\_\_\_\_  
16 \_\_\_\_\_

17 Noes: Councilmembers: None.  
18 \_\_\_\_\_  
19 \_\_\_\_\_

20 Absent: Councilmembers: DeLong.  
21 \_\_\_\_\_  
22 \_\_\_\_\_

23   
24 \_\_\_\_\_  
25 City Clerk

26 Approved: 8/22/13  
27 (Date)  
28

29   
30 \_\_\_\_\_  
31 Mayor



AFFIDAVIT OF POSTING

STATE OF CALIFORNIA        ) ss  
COUNTY OF LOS ANGELES    )  
CITY OF LONG BEACH         )

Megan Wiegelman being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 23rd day of August, 2013, I posted three true and correct copies of Ordinance No. ORD-13-0012 in three conspicuous places in the City of Long Beach, to wit: One of said copies in the entrance lobby of City Hall in front of the Information Desk; one of said copies in the Main Library; and one of said copies in the entrance lobby of the 14th Floor of City Hall.

  
\_\_\_\_\_

Subscribed and sworn to before me  
this 23rd day of August, 2013.

  
\_\_\_\_\_  
CITY CLERK

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

1 RESOLUTION NO. RES-13-0061

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH LIMITING IMPLEMENTATION OF  
5 THE ALCOHOL NUISANCE ABATEMENT ORDINANCE TO  
6 SPECIFIED AREAS OF THE CITY

7  
8 WHEREAS, concurrently with the adoption of this Resolution, the City  
9 Council has approved and adopted an "Alcohol Nuisance Abatement Ordinance" (ANAO)  
10 by adding Chapter 21.57 to the Municipal Code of the City of Long Beach;

11 WHEREAS, the purpose of adopting the ANAO is, in part, to curtail  
12 nuisance and criminal activities such as drug dealing, public drunkenness, loitering and  
13 other behaviors that negatively impact neighborhoods and which occur with  
14 disproportionate frequency at and around the premises of liquor stores offering the off-  
15 site sale of alcohol;

16 WHEREAS, staff has recommended that the initial implementation of the  
17 ANAO should commence in the Eighth and Ninth Council Districts. Said  
18 recommendation is based upon the fact that these districts: 1) have a significantly higher  
19 ratio of liquor stores that are not currently regulated by the Conditional Use Permit (CUP)  
20 process because many were established prior to the requirement to obtain a CUP; 2)  
21 that many of these liquor stores are located in densely populated residential areas which  
22 too often has proven a catalyst for the types of nuisance related behaviors as described  
23 above; and 3) that the residents and business owners located in the 8<sup>th</sup> and 9<sup>th</sup> Council  
24 Districts have been extremely vocal in bringing this issue to the City Council for its  
25 review, attention and consideration.

26 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
27 follows:

28 Section 1. The City Council authorizes limited implementation of the

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

1 Alcohol Nuisance Abatement Ordinance to begin in the Eighth and Ninth Council Districts  
2 in the areas north of Del Amo Boulevard, and east, west and north to the City boundaries  
3 as reflected in the Map attached hereto as Exhibit A.

4 Section 2. That should this program and regulations prove effective in  
5 reducing or eliminating nuisance related behaviors associated with liquor stores and the  
6 off-site sale of alcohol, then the City Council may, in its discretion, expand application of  
7 the subject ANAO to other areas of the City as necessary and in accordance with  
8 established procedures.

9 Section 3. This resolution shall take effect immediately upon its adoption  
10 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

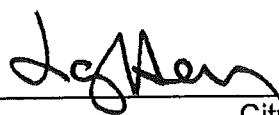
11  
12 I hereby certify that the foregoing resolution was adopted by the City  
13 Council of the City of Long Beach at its meeting of August 6, 2013, by the  
14 following vote:

15 Ayes: Councilmembers: Garcia, Lowenthal, DeLong, Schipske,  
16 Andrews, Johnson, Austin, Neal.

17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 Noes: Councilmembers: None.

20 \_\_\_\_\_  
21 Absent: Councilmembers: O'Donnell.

22 \_\_\_\_\_

23  
24   
25 \_\_\_\_\_  
26 City Clerk

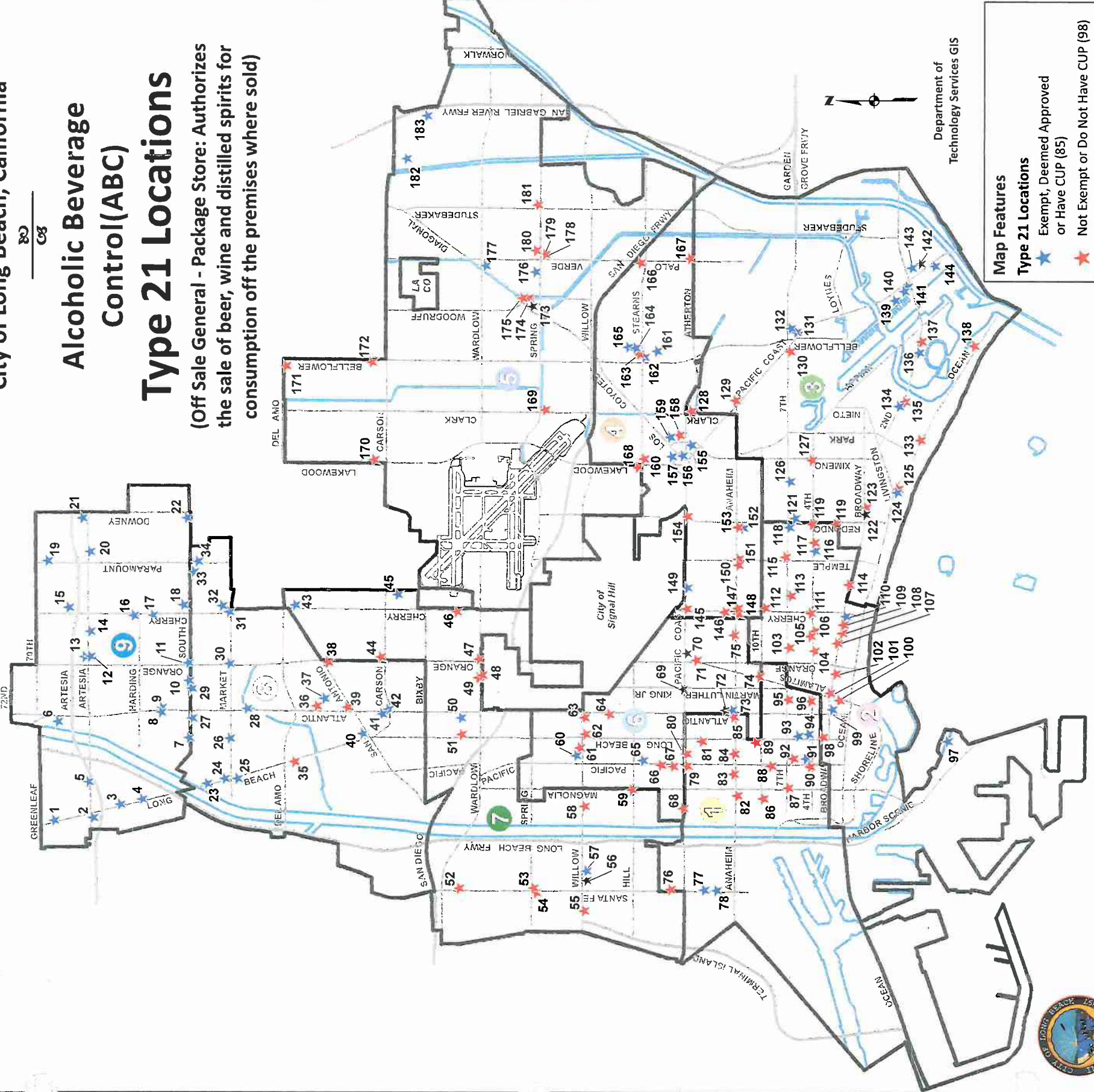
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**City of Long Beach, California**

**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)



**Map Features**

- Type 21 Locations
- Exempt, Deemed Approved or Have CUP (85)
- Not Exempt or Do Not Have CUP (98)
- Council Districts



**BLUE: Exempt, Deemed Approved or Have CUP**

**RED: Not Exempt or Do No**

Index #	CD	Address	Index #	CD	Address	Index #	CD	Address
76	1	1908 Santa Fe Ave	145	4	2002 E Pacific Coast Hwy	43	7	4700 Cherry Ave
77	1	1574 Santa Fe Ave	146	4	1391 Cherry Ave	44	7	4128 Orange Ave
78	1	1488 Santa Fe Ave	147	4	1934 E Anaheim St	45	7	2250 E Carson St
79	1	200 W Pacific Coast Hwy	148	4	2016 E Anaheim St	46	7	3801 Cherry Ave
80	1	100 E Pacific Coast Hwy	149	4	2340 E Pacific Coast Hwy	47	7	3400 Orange Ave
81	1	1611 Long Beach Blvd	150	4	2700 E Anaheim St	48	7	1088 E Wardlow Rd
82	1	550 W Anaheim St	151	4	2800 E Anaheim St	49	7	1069 E Wardlow Rd
83	1	301 W Anaheim St	152	4	3210 E Anaheim St	50	7	3575 Alliantic Ave
84	1	1310 Pine Ave	153	4	3300 E Anaheim St	51	7	3580 Long Beach Blvd
85	1	543 E Anaheim St	154	4	3434 E Pacific Coast Hwy	52	7	3606 Santa Fe Ave
86	1	949 Daisy Ave	155	4	1755 Ximeno Ave	53	7	2990 Santa Fe Ave
87	1	658 Magnolia Ave	156	4	4400 Los Coyotes Dia	54	7	2943 Santa Fe Ave
88	1	857 Pacific Ave	157	4	1930 N Lakewood Blvd	55	7	2000 W Willow St
89	1	1033 Long Beach Blvd	158	4	1890 Ximeno Ave	56	7	1504 W Willow St
90	1	421 Pacific Ave	159	4	1820 Ximeno Ave	57	7	1504 W Willow St
91	1	443 Pine Ave	160	4	4360 E Stearns St	58	7	734 W Willow St
92	1	601 Pine Ave	161	4	2080 N Bellflower Blvd	59	7	2201 Magnolia Ave
93	1	596 Long Beach Blvd	162	4	2130 N Bellflower Blvd	60	7	5602 Long Beach Blvd
94	1	450 Long Beach Blvd	163	4	5545 E Stearns St	61	7	5440 Long Beach Blvd
95	1	742 E 7th St	164	4	2222 N Bellflower Blvd	62	7	5351 Long Beach Blvd
96	1	725 E 4th St	165	4	2270 N Bellflower Blvd	63	7	301 E Market St
97	2	1126 Queens Hwy	166	4	2221 Palo Verde Ave	64	7	484 E South St
98	2	256 Long Beach Blvd	167	4	1818 Palo Verde Ave	65	7	5280 Alliantic Ave
99	2	600 E Broadway	168	5	2265 N Lakewood Blvd	66	7	938 E South St
100	2	85 Alamitos Ave	169	5	2950 Clark Ave	67	7	5402 Orange Ave
101	2	919 E Broadway	170	5	4172 Norse Way	68	7	5401 Cherry Ave
102	2	1112 E Broadway	171	5	5442 E Del Amo Blvd	69	7	5450 Cherry Ave
103	2	1360 E 7th St	172	5	4177 N Bellflower Blvd	70	7	2628 E South St
104	2	1298 E 4th St	173	5	5949 E Spring St	71	7	5660 N Paramount Blvd
105	2	1601 E 4th St	174	5	3020 Woodruff Ave	72	7	4935 Long Beach Blvd
106	2	1642 E 4th St	175	5	3122 Los Coyotes Dia	73	7	4570 Alliantic Ave
107	2	1501 E Broadway	176	5	6235 E Spring St	74	7	4550 Alliantic Ave
108	2	1700 E Broadway	177	5	3380 Los Coyotes Dia	75	7	4507-09 Orange Ave
109	2	1770 E Broadway	178	5	6436 E Spring St	76	7	4402 Alliantic Ave
110	2	211 Cherry Ave	179	5	6400 E Spring St	77	7	4250 Long Beach Blvd
111	2	1953 E 4th St	180	5	46501 E Spring St	78	7	4100 Alliantic Ave
112	2	2038 E 10th St	181	5	3014 N Studebaker Rd	79	7	6900 Long Beach Blvd
113	2	2218 E 7th St	182	5	7250 Carson Blvd	80	7	106 W Artesia Blvd
114	2	2435 E Broadway	183	5	7480 Carson Blvd	81	7	6350 Long Beach Blvd
115	2	2807 E 7th St	184	6	101 E Willow St	82	7	6176 Long Beach Blvd
116	2	2930 E 4th St	185	6	233 E Willow St	83	7	289 E Artesia Blvd
117	2	3036 E 4th St	186	6	300 E Willow St	84	7	6841 Alliantic Ave
118	2	3300 E 7th St	187	6	4552 E Willow St	85	7	301 E South St
119	2	401 Redondo Ave	188	6	2395 Alliantic Ave	86	7	6031 Alliantic Ave
120	2	311 Redondo Ave	189	6	2120 Pacific Ave	87	7	6000 Alliantic Ave
121	3	644 Redondo Ave	190	6	1995 Pacific Ave	88	7	1045 E South St
122	3	3500A E Broadway	191	6	1895 Pacific Ave	89	7	1201 E South St
123	3	220 Loma Ave	192	6	729 W Pacific Coast Hwy	90	7	1201 E South St
124	3	3950 E Ocean Blvd	193	6	945 E Pacific Coast Hwy	91	7	1302 E Artesia Blvd
125	3	3900 E Ocean Blvd	194	6	1250 E Pacific Coast Hwy	92	7	1313 E Artesia Blvd
126	3	4000 E 7th St	195	6	1700 Alamitos Ave	93	7	1710 E Artesia Blvd
127	3	4337 E 4th St	196	6	1428 Alliantic Ave	94	7	6700 Cherry Ave
128	3	1750 Clark Ave	197	6	1320 Alliantic Ave	95	7	6241 Cherry Ave
129	3	5201 E Pacific Coast Hwy	198	6	1012 Alamitos Ave	96	7	6069 Cherry Ave
130	3	5560 E 7th St	199	6	1601 E Anaheim St	97	7	2185 E South St
131	3	650 N Bellflower Blvd	200	9	6900 N Paramount Blvd	98	7	6900 N Paramount Blvd
132	3	5760 E 7th St	201	9	2990 E Artesia Blvd	99	7	2990 E Artesia Blvd
133	3	12 Granada Ave	202	9	3411 E Artesia Blvd	100	7	3411 E Artesia Blvd
134	3	5297 E 2nd St	203	9	3337 E South St	101	7	3337 E South St
135	3	5340 E 2nd St	204	9	16	16	16	
136	3	5670 E 2nd St	205	9	5	5	5	
137	3	5764 E 2nd St	206	9	13	13	13	
138	3	54 62nd Pl	207	9	11	11	11	
139	3	6290 E Pacific Coast Hwy	208	9	10	10	10	
140	3	6255 E 2nd St	209	9	6	6	6	
141	3	6265 E 2nd St	210	9	4	4	4	
142	3	6521 E Pacific Coast Hwy	211	9	13	13	13	
143	3	6451 E Pacific Coast Hwy	212	9	4	4	4	
144	3	6550 E Pacific Coast Hwy	213	9	16	16	16	
			214	9	22	22	22	
			215	9	0	0	0	

**Total Locations: 183**

As of April 2015

**D8:** ANAO Deemed Approved Locations: 9  
**D9:** ANAO Deemed Approved Locations: 17

CD	Locations	Exempt, Deemed Approved or Have CUP	Not Exempt or Do Not Have CUP	Percentage of Licenses
1	21	5	16	76.2%
2	24	5	19	79.2%
3	24	13	11	45.8%
4	23	10	13	56.5%
5	16	6	10	62.5%
6	16	4	12	75.0%
7	17	4	13	76.5%
8	20	16	4	20.0%
9	22	22	0	0.0%

Source: California Department of Alcoholic Beverage Control - January 2013