

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

ORDINANCE NO. ORD-15-0019

AN ORDINANCE OF THE CITY COUNCIL OF THE  
 CITY OF LONG BEACH AMENDING THE LONG BEACH  
 MUNICIPAL CODE BY AMENDING CHAPTER 21.32,  
 TABLES 32-1 AND 32-1A, ALL RELATING TO REMOVAL OF  
 CONDITIONAL USE PERMIT EXEMPTIONS FOR  
 ALCOHOLIC BEVERAGE SALES

The City Council of the City of Long Beach ordains as follows:

Section 1. The Long Beach Municipal Code is amended by amending  
 Table 32-1 related to Alcoholic Beverage Sales to read as follows:

Table 32-1  
 Uses In All Other Commercial Zoning Districts

	Neighborhood			Community				Regional	Other	
Alcoholic Beverage Manufacturing and Accessory Tasting Room	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Alcohol Beverage Manufacturing*	Y	Y	Y	Y	Y	Y	Y	Y	Y	*Subject to special development standards (see Section 21.45.114).
Accessory Tasting Room*	A	A	A	A	A	A	A	A	A	Alcoholic Beverage Manufacturing and Accessory tasting room uses shall be

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										permitted in all Planned Development (PD) Districts allowing commercial uses, subject to Section 21.45.114.
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	Neighborhood			Community				Regional	Other	
Alcoholic Beverage Sales	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	Note: The concentration of existing ABC licenses and the area crime rate are factors considered in reviewing applications for alcohol sales.
Off-premises sales within 500 ft. of district allowing residential uses	C	C	C	C	C	C	C	C	N	For alcoholic beverage sales exempted from the CUP process, see footnote (1).
Off-premises sales more than 500 ft. from district allowing residential uses	N/A	N/A	N/A	C	C	N/A	N/A	C	N	

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On-premises sales within 500 ft. of district allowing residential uses	C	C	C	C	C	C	C	C	N
On-premises sales more than 500 ft. from district allowing residential uses	N/A	N/A	N/A	C	C	N/A	N/A	C	N

Section 2. The Long Beach Municipal Code is amended by amending Table 32-1 Footnotes to read as follows:

Footnotes:

(1) The following alcoholic beverage sales may be exempted from the conditional use permit requirement:

a. Restaurants with alcoholic beverage service only with meals.

This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge without a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than thirty percent (30%) of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a conditional use permit to continue to sell alcohol.

b. Florist with accessory sale of alcoholic beverages.

c. Existing legal, nonconforming uses.

1 Section 3. The Long Beach Municipal Code is amended by amending  
 2 Table 32-1A pertaining to Alcohol Sales Uses, Taverns, and Entertainment Services to  
 3 read as follows:

Table 32-1A			
Uses In All Other Commercial Zones			
Use	CO	CH	CT
Alcohol Sales Uses			
Alcohol sales uses (b)	N	C	C
Table 32-1A			
Use	CO	CH	CT
Taverns			
Taverns, bar, cocktail lounge, pub	C	C	C
Table 32-1A			
Entertainment Services			
Amusement machine (4 or fewer)	A	A	A
Amusement park	N	N	C
Arcade	N	C	N
Conventions, exhibit and trade shows or fairs, including sales or rental of good exhibited	N	N	Y

1	Cruise ship passenger terminal	N	N	N
2	Dancing—principal or accessory use	C	N	C
3	Drive-in theater	N	C	C
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5	Entertainment uses with the sale of alcoholic beverages 500 ft. or less from a district allowing residential uses (b)	C	C	C
6				
7	Entertainment uses with the sale of alcoholic beverages other than those described above	C	N	Y
8				
9	Hall rental	N	N	C
10	Mock boxing or wrestling	N	C	C
11				
12	Movies, theaters, private clubs (with no dancing)	N	C	C
13	Musical entertainment	C	N	C
14	Open (outdoor) commercial recreation	N	N	C
15				
16	Pool hall (4 or more tables)	N	C	C
17	Pool tables (up to 3 tables)	A	A	A
18	Radio and television broadcasting	N	N	Y
19				
20	Skating rink	C	C	C
21	Stage shows	C	N	C
22				
23	Temporary special outdoor events, including promotional events, fairs, carnivals, circuses, art shows, antique shows, outdoor sporting events, trade shows, outdoor sales and the like	T	T	T
24				
25	Transportation facilities, including bus terminals, cabstands, limousine services, airport passenger terminals, blimp ports, heliports and	N	A	C
26	helistops			
27	All other entertainment services uses	N	C	C
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1                   Section 4.    The Long Beach Municipal Code is amended by amending  
2 Table 32-1A Footnote (b) to read as follows:

3                   Footnotes

4                   (b)    The following alcoholic beverage sales shall be exempted from the  
5 conditional use permit requirement:

6                   1. Restaurants with alcoholic beverage service only with meals.

7                   This generally means any use with a fixed bar is not exempt. A service bar  
8 is not considered a fixed bar. A sushi bar, where alcoholic beverages are  
9 served at the same bar where meals are served, is considered serving  
10 alcoholic beverages only with meal service. A cocktail lounge without a  
11 bar, but with primarily service of only hors d'oeuvres and alcoholic  
12 beverages is not exempt. Any restaurant with more than thirty percent  
13 (30%) of gross sales consisting of alcoholic beverage sales shall lose its  
14 exemption and be required to obtain a conditional use permit to continue  
15 to sell alcohol.

16                   2. Florist with accessory sale of alcoholic beverages.

17                   3. Existing legal, nonconforming uses.

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

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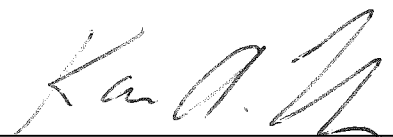
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AFFIDAVIT OF POSTING

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

Karen Moore being duly sworn says: That I am employed in the Department of the City Clerk of the City of Long Beach; that on the 15th day of July, 2015, I posted three true and correct copies of Ordinance No. ORD-15-0019 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 on the front counter of the City Clerk Department.

  
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Subscribed and sworn to before me  
this 15th day of July, 2015.

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