



Legislation Details (With Text)

File #: 16-1001 **Version:** 2 **Name:** DS - Alcoholic Beverage Manufacturing zoning amendment

Type: Ordinance **Status:** Adopted

File created: 10/27/2016 **In control:** City Council

On agenda: 11/22/2016 **Final action:** 11/22/2016

Title: Recommendation to declare ordinance amending Table 41-1C of Chapter 21.41, and Section 21.45.114 (2), (5) and (8), all relating to alcoholic beverage manufacturing and accessory tasting rooms, read and adopted as read. (Citywide)

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. 111516-H-1sr&att.pdf, 2. 112216-ORD-21att.pdf, 3. ORD-16-0025.pdf

Date	Ver.	Action By	Action	Result
11/22/2016	2	City Council	approve recommendation and adopt	Pass
11/15/2016	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass

Recommendation to declare ordinance amending Table 41-1C of Chapter 21.41, and Section 21.45.114 (2), (5) and (8), all relating to alcoholic beverage manufacturing and accessory tasting rooms, read and adopted as read. (Citywide)

On April 7, 2015, the City Council adopted Ordinance ORD-15-0010 (ABM Ordinance) allowing small-scale alcoholic beverage manufacturing facilities and accessory tasting rooms to operate in commercial zones within the City. These facilities allow for brewing beer, winemaking, or the distilling of spirits. Previously, these types of uses were limited to zones permitting manufacturing uses, with no method to permit accessory tasting rooms.

Customers may consume products produced on-site in the accessory tasting room and may purchase products for off-site consumption. Typical forms of purchases for off-site consumption are growler fills or individual bottles. Growlers are containers of a standard size (typically 64 ounces) that a customer purchases from the ABM and uses for refills.

The ABM regulations are detailed in Title 21, Section 21.45.114, of the Long Beach Municipal Code (LBMC) and include provisions such as a required 500-foot buffer around schools, hours of operation, floor area limitations, and parking requirements.

Since the adoption of the ABM Ordinance 18 months ago, a variety of restaurants with breweries have opened within the City. However, only two ABM establishments have qualified under the ABM development standards. On August 23, 2016, the City Council directed staff and the Planning Commission to review the provisions of the ABM Ordinance,

and return within 90 days with opportunities for additional flexibility in the development standards for these facilities.

Staff reviewed the ABM regulations, studied inquiries from prospective breweries, reviewed the regulations for similar establishments in other cities, and compared the Ordinance to other alcohol-related standards in the City. Staff also considered the need to provide the business community with a timely and cost-efficient review process while ensuring that the community standards for alcohol-related uses are maintained. This review revealed that the Ordinance could benefit from additional flexibility and still maintain consistency with the City's existing standards for the regulation of alcohol-related uses. The following section describes the proposed changes, which are provided in red-line/strikethrough format in Exhibit A.

Proposed Amendments:

- In commercial zones, reduce the parking requirement for ABMs to ten spaces per 1,000 square feet for the accessory tasting room, with no additional parking required for the manufacturing area.
- In industrial zones, apply parking to the entire ABM facility at the manufacturing parking ratio, consistent with parking standards for other uses in industrial zones.
- Eliminate preschools and kindergartens from the required 500-foot buffer requirement.
- Add an exemption for ABMs to the required 500-foot distance buffer from elementary, secondary, and high schools within PD-30 (Downtown Plan).
- Allow accessory tasting rooms to remain open in commercial zones on Fridays and Saturdays until 11:00 p.m., but allow for operators to request later hours with the approval of an Administrative Use Permit (AUP).
- Allow ABM facilities over 6,000 square feet to be considered through an Administrative Use Permit process (AUP) instead of a Conditional Use Permit, resulting in cost savings for the applicants, while still allowing full review and assessment in a noticed public hearing process.

The LBMC does not set forth required findings for approval of a Zoning Code amendment. However, this change is consistent with the General Plan, specifically Land Use Element goals regarding managing growth, and ensuring quality development and public safety. On October 20, 2016, the Planning Commission conducted a public hearing and recommended that the City Council approve Zoning Code Amendment No. 1609-25 to revise provisions relating to the regulation of ABM facilities, specifically pertaining to parking regulations, hours of operations, locational requirements, and review processes.

Public hearing notices were distributed on October 31, 2016 and no responses were received as of the date of preparation of this report.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Categorical Exemption (CE 16-236) was issued for the proposed project (Exhibit B).

This matter was reviewed by Assistant City Attorney Michael J. Mais on October 31, 2016 and by Budget Analysis Officer Julissa Jose-Murray on October 25, 2016.

City Council action is requested on November 15, 2016, as the City Council asked on August 23, 2016, that staff and the Planning Commission review this item and return to the City Council within 90 days.

Furthermore, because the request is a Zoning Code amendment, Section 21.25.103.A.1 of the Zoning Regulations require a hearing on this item by the City Council within 60 days of the Planning Commission hearing, which took place on October 20, 2016.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING TABLE 41-1C OF CHAPTER 21.41, AND SECTION 21.45.114 (2), (5) and (8), ALL RELATING TO ALCOHOLIC BEVERAGE MANUFACTURING AND ACCESSORY TASTING ROOMS

Approve recommendation.

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST
CITY MANAGER