



## Legislation Details (With Text)

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**File created:** 5/2/2022      **In control:** City Council

**On agenda:** 5/10/2022      **Final action:** 5/10/2022

**Title:** Recommendation to direct City Manager to work with City Attorney and Development Services Department to provide an update to City Council on the City’s Nuisance Motel Regulation and Alcohol Nuisance Abatement ordinances, including options to strengthen the ordinances, within 90 days;

Direct City Manager to work with Long Beach Police Department (LBPD) to identify resources to support efforts to address the issue of human trafficking along the Long Beach Boulevard Corridor in coordination with the City of Compton; and

Direct City Manager and Health Department to coordinate outreach and education pipelines through the Long Beach “My Sister’s Keeper Initiative” for individuals impacted by human trafficking along the Long Beach Boulevard Corridor.

**Sponsors:** VICE MAYOR REX RICHARDSON, NINTH DISTRICT, COUNCILWOMAN CINDY ALLEN, SECOND DISTRICT, COUNCILWOMAN SUELY SARO, SIXTH DISTRICT

**Indexes:**

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**Attachments:** 1. 051022-R-19sr&att, 2. 051022-R-19 Corresp. Haddad, 3. 051022-R-19 Corresp. Assemblymember Gipson, 4. 051022-R-19PowerPoint

Date	Ver.	Action By	Action	Result
5/10/2022	1	City Council	approve recommendation	Pass

Recommendation to direct City Manager to work with City Attorney and Development Services Department to provide an update to City Council on the City’s Nuisance Motel Regulation and Alcohol Nuisance Abatement ordinances, including options to strengthen the ordinances, within 90 days;

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### Background

Issues associated with human trafficking on the Long Beach Boulevard Corridor go back generations, driven by outdated land uses and nonconforming motels and liquor stores.

### Nuisance Liquor Stores

On July 24, 2012, City Council passed a directive authored by then-District 9 Councilmember

Steve Neal, which directed the Planning Commission to consider changes to the City's zoning regulations as related to Type 21 liquor store licenses to implement performance standards or a Conditional Use Permit (CUP) requirement for stores that were established before the current regime of required CUPs for new Type 21 stores. According to the directive:

“A Conditional Use Permit or the imposition of meaningful development or performance standards may be helpful in eliminating or reducing the negative operating characteristics of certain Type 21 liquor outlets and will serve to ensure public safety and compatibility with the community. The Planning Commission is in the best position to provide a suitable recommendation to the Council as to an appropriate regulatory framework for these existing legal non-conforming uses.<sup>1</sup>”

On May 16th, 2013, the resulting pilot ordinance, effective on all stores north of Del Amo Boulevard, passed the Planning Commission by unanimous vote.<sup>2</sup> The ordinance was then sent to the City Council on August 6th, 2013, where it also passed by unanimous vote.<sup>3</sup> The new Alcohol Nuisance Abatement Ordinance created a set of performance standards for liquor stores which had been grandfathered in as a deemed approved use before the establishment of the CUP regime and created penalties up to and including revoking the liquor store's "deemed approved" status, which would prevent them from continuing to sell alcoholic beverages unless they applied for a Conditional Use Permit.<sup>4</sup>

Some of these standards included:

- Providing 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 being covered or obstructed
- Removal of existing publicly accessible exterior pay phones
- Removal of any graffiti found on the premises within 24 hours
- Displaying the building address on all sides of the building facing a public right-of-way, including alleys

Conditional Use Permits impose certain requirements on a business in order to continue operating outside of the zoning code. The passage of this ordinance effectively made 1 "Establishment of a CUP or Development Standards Requirement for Existing Legal Non-Conforming

Type 21 (Off Sales General) Liquor Stores or Similar Outlets (City-wide)" July 2012.

<http://longbeach.legistar.com/View.ashx?M=F&ID=2008829&GUID=CD533878-504C-41EB-84FFB1FC1A428B2F>

2 "Planning Commission Minutes, Thursday May 13, 2013"

[http://longbeach.legistar.com/View.ashx?M=M&ID=242167&GUID=7B676E65-73CB-4C98-B0F8-](http://longbeach.legistar.com/View.ashx?M=M&ID=242167&GUID=7B676E65-73CB-4C98-B0F8-3EACA804DCF3)

[3EACA804DCF3](http://longbeach.legistar.com/View.ashx?M=M&ID=242167&GUID=7B676E65-73CB-4C98-B0F8-3EACA804DCF3)

3 "City Council Minutes, Tuesday August 6, 2013"

<http://longbeach.legistar.com/View.ashx?M=M&ID=259065&GUID=1EC8AE84-8D76-4CBE-8225->

5148FD2F6C46

4 “LBMC CHAPTER 21.57 - ALCOHOL NUISANCE ABATEMENT”

[https://library.municode.com/ca/long\\_beach/codes/municipal\\_code?nodeId=TIT21ZO\\_CH21.57ALNUAB](https://library.municode.com/ca/long_beach/codes/municipal_code?nodeId=TIT21ZO_CH21.57ALNUAB)

North Long Beach the first area of the City to have all of its liquor stores regulated at the local level. One year later, a May 2014 report to City Council on the impact of the pilot program revealed that 11 of the 26 targeted stores had reached compliance, while 12 were in the process of reaching compliance and 3 stores were refusing to comply.<sup>5</sup> By May of 2015, all 26 stores had reached compliance, and the program was extended citywide by unanimous vote of the Council.

<sup>6</sup> According to a January 2017 update Council received from then-City Manager Pat West, the Alcohol Nuisance Abatement Ordinance had added 25 new compliant stores since its extension citywide.<sup>7</sup> The ordinance has received significant acclaim, receiving the 2016 Award of Excellence from both the American Planning Associations of Los Angeles and California.

Nuisance Motels

Building off the success of the Alcohol Nuisance Abatement Ordinance, discussions between the City Manager, Vice Mayor Richardson, LBPD, the Department of Development Services, and the City’s Human Trafficking task force began in mid-2017.<sup>8</sup> These discussions culminated in a February 2018 report to Council detailing a Nuisance Motels Pilot Program, which would fill the gap in abatement left by the end of the City’s Redevelopment Agency in 2011. The report cited the Alcohol Nuisance Abatement Ordinance as inspiration for the program, and detailed actions that the pilot program had taken, including imposing new security and façade standards for the six motels with the most calls to service in the city, and actions that might be necessary as part of a full program, including imposing living conditions regulations similar to those levied on rental  
<sup>5</sup> “Alcohol Nuisance Abatement Ordinance Brings ‘Tangible Improvements’ to North Long Beach Liquor Stores” May 2014.

<https://lbpost.com/news/city/alcohol-nuisance-abatement-ordinance-brings-tangibleimprovements-to-north-long-beach-liquor-stores>

<sup>6</sup> “City Council Minutes, May 12, 2015”

<http://longbeach.legistar.com/View.ashx?M=M&ID=464481&GUID=B8E6B06A-00CD-4C34-A7DA-163B66AEFB71>

<sup>7</sup> “Alcohol Nuisance Abatement Ordinance Update - Implementation Status” Jan 2017.

<https://www.longbeach.gov/globalassets/city-manager/media-library/documents/memos-to-the-mayortabbed-file-list-folders/2017/january-26--2017---alcohol-nuisance-abatement-ordinance-update---implementation-status>

<sup>8</sup> “Long Beach leaders get tough on ‘nuisance motels’ that have spurred thousands of police calls” Feb

2018.

<https://www.presstelegram.com/2018/02/21/long-beach-leaders-get-tough-on-nuisance-motelsthat-have-spurred-thousands-of-police-calls/>

units, and using zoning and land use changes to phase out motels in areas of the city where tourism is no longer economically viable.<sup>9</sup>

Later that same month, Vice Mayor Richardson along with then-councilmember Jeannine Pearce introduced a directive to City Council calling for the creation of a permanent Nuisance Motel Ordinance, which would permanentize the pilot program and extend it to other motels with high numbers of calls to service.<sup>10</sup> The directive also called for the exploration of a Motel Amortization Program. The directive passed unanimously.<sup>11</sup>

In November 2018, the Development Services Department appeared in front of City Council to present the results of the Nuisance Motel Pilot Program, which resulted in a 30% reduction in calls to service in the 9 months since the program's regulations had been implemented on the 6 participating motels. With this success, the Department recommended the City Attorney begin preparing a citywide Nuisance Motel Program, and for City staff to continue exploring motel conversions, amortization, acquisitions, and zoning changes to phase out problem motels, particularly in North Long Beach, which could be coupled with financial incentives for current owners to redevelop their properties.<sup>12</sup> The recommendation passed council unanimously.<sup>13</sup>

After extensive community and stakeholder engagement, a final ordinance passed council unanimously in December of 2019, which created an interdepartmental City team (ICT) to address nuisance motels by bringing together the Health Department, the Development Services Department, LBPD, the Fire Department, the City Prosecutor's

9 "Nuisance Motels Pilot Program" Feb. 2018

<https://www.longbeach.gov/globalassets/citymanager/media-library/documents/memos-to-the-mayor-tabbed-file-list-folders/2018/february-8--2018--nuisance-motels-pilot-program>

10 "Motel Nuisance Abatement and Amortization Ordinance" Feb 2018.

<http://longbeach.legistar.com/View.ashx?M=F&ID=5801388&GUID=DD160D70-57A0-4085-8F1E-9F4BA4E3B773>

11 "City Council Minutes, February 20, 2018"

<http://longbeach.legistar.com/View.ashx?M=M&ID=594307&GUID=E0DC8523-0103-4759-9BF3-1C64091362CD>

12 "Report from Department of Development Services" Nov 2018.

<http://longbeach.legistar.com/View.ashx?M=F&ID=6719531&GUID=F57318AB-A552-4477-9FCDC03E2288FAF6>

13 City Council Minutes, November 13, 2018"

<http://longbeach.legistar.com/View.ashx?M=M&ID=647776&GUID=4D27014B-943A-4621-AA60-C5CDF82958D5>

Office, and the City Attorney's Office.<sup>14</sup> The ICT is deputized to receive nuisance

complaints, analyze PD data on calls to service, and institute the Nuisance Motel Program on those Motels which have elevated numbers of complaints and calls to service.<sup>15</sup> The program allows the ICT to choose from a menu of 22 regulatory requirements around safety and living conditions, which, unless complied with, could lead a nuisance motel to face monetary penalties or revocation of its business license or deemed approved status.<sup>16</sup>

### The Problem

A lot has happened since the passage of the Nuisance Motel Ordinance in 2019. The impacts of COVID-19 seem to have increased the prevalence of human trafficking - the Department of Homeland Security reported 35% more human trafficking arrests in 2021 than in 2020.<sup>17</sup> Long Beach PD reports that 79% of its 647(b) (prostitution) calls to service take place within Beat 23, which encompasses the location of two of the original six target motels under the Nuisance Motel Program, along the Long Beach Boulevard corridor.

<sup>14</sup> “City Council Minutes, December 17, 2019”

<http://longbeach.legistar.com/View.ashx?M=M&ID=749400&GUID=E7B3C85C-A1C1-465E-9A6D-201E6EEE750A>

<sup>15</sup> “Communication from Development Services” Dec 2019.

<http://longbeach.legistar.com/View.ashx?M=F&ID=7950997&GUID=20A1256E-9B44-4B7A-9949-224289B61E03>

<sup>16</sup> “LBMC CHAPTER 5.57 - NUISANCE MOTEL REGULATION”

[https://library.municode.com/ca/long\\_beach/codes/municipal\\_code?nodeId=TIT5REBUTRPR\\_CH5.57NU](https://library.municode.com/ca/long_beach/codes/municipal_code?nodeId=TIT5REBUTRPR_CH5.57NU)  
MORE

<sup>17</sup> “Countering Human Trafficking: Year in Review” Feb 2022.

<https://www.dhs.gov/sites/default/files/2022-02/CCHT%20Annual%20Report.pdf>

*LBPD Beat 23 - Long Beach Boulevard highlighted in red*

Before the Nuisance Motel Program launched, those two motels, Luxury Inn and the Searle Motel, accounted for more than 1,500 calls for service in the January 2014 - May 2017 reporting period, nearly two calls per day for a period of two years and five months.<sup>18</sup> If the 30% reduction found in the pilot program has held up over the past four years, those motels would still take up more than one call to service per day, and as is evident in the PD data, this corridor still presents a safety challenge. North Division currently deals with 86% of 647(b) calls citywide, which draws significant resources from the division’s efforts to address other problems facing North Long Beach.

Council would benefit greatly from an update on the efficacy of the Nuisance Motel and Alcohol Nuisance Abatement Ordinances over the past three years of enforcement, including opportunities to strengthen both ordinances.

<sup>18</sup> “Nuisance Motels Pilot Program Data” Feb 2018.

<http://longbeach.legistar.com/View.ashx?M=F&ID=5818540&GUID=CB201B1D-91BF-4181-BDCE-9A1FECC43414>

### The Solution

The effects of the pandemic present new challenges in these areas, one that requires a new approach. After receiving complaints from community members about perceived elevated levels of human trafficking taking place in Beat 23, North Division convened a community meeting with residents of the Starr King, College Square, Coolidge Triangle, and Longwood neighborhoods. Following that meeting, additional Vice Investigations Detail personnel have been deployed to Beat 23, and particularly along Long Beach Boulevard, in order to provide more visibility on the corridor and deter activity in the short term.

In the long term, North Division is preparing an Event Action Plan in hopes to receive a \$50,000 allocation of Neighborhood Safe Streets funds to conduct extra Human Trafficking operations, with a focus on arresting and prosecuting traffickers as well as rescuing minors and connecting trafficked victims with services.

Council should support efforts to secure more funding for these operations, as well as funding for motel conversions on the corridor through Project Homekey or the Long Beach Recovery Act. The City should also pursue partnerships between city departments, particularly Development Services and Economic Development, in order to further develop the corridor to add outdoor public space and open space, and the Health Department, in order to take advantage of resources provided by the new Ronald R. Arias Health Equity Center and the city's My Sister's Keeper program, which aims at preventing gang membership and gang victimization among at-risk females between the ages of 10 and 24. Finally, the City should partner with the City of Compton in these efforts, in order to ensure that the problem isn't just moved into nearby localities, from where it could return to North Long Beach at a later date.

This proposal requests the City to utilize the nuisance motel and liquor store ordinances, redouble law enforcement efforts, and engage the resources at the Ronald R Arias Health Equity Center to create a strategy to stabilize the Long Beach Boulevard Corridor.

[Timing Considerations]

No Financial Management review was able to be conducted due to the urgency and time sensitivity of this item.

Approve recommendation.

REX RICHARDSON, VICE MAYOR  
NINTH DISTRICT

SUELY SARO, COUNCILWOMAN  
SIXTH DISTRICT