



Date: February 19, 2018  
To: Patrick H. West, City Manager *PW*  
From: Tom Modica, Interim Director of Development Services *T.M.*  
For: Mayor and Members of the City Council  
Subject: **Status Update on the Conditional Use Permit (CUP) Study**

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On December 20, 2016, the City Council requested the City Manager to work with the City Attorney, the Economic Development Commission, and the Planning Commission to review and make recommendations regarding the City's Conditional Use Permit (CUP) and public notification processes.

Since March 2017, the City's consultant, Dyett & Bhatia (Consultant), has engaged in targeted outreach with over 40 stakeholders, including business owners, representatives of the Council of Business Associations, previous and current CUP applicants, and members of the Planning Commission and Economic Development Commission. The Consultant has also produced an assessment of the City's existing CUP regulations, with comparison to other cities. The Consultant conducted a Planning Commission study session in September 2017 to present preliminary findings and recommendations (attached).

The CUP Study was originally scheduled for completion by January 2018. However, due to heavy workload and limited staff resources during a robust development environment, this project has incurred delays. Staff is currently working on follow-up supplemental outreach and anticipates a public hearing to consider a Zoning Code Amendment by Planning Commission in March 2018, and the City Council in April 2018.

If you have any questions regarding this matter, please contact Linda F. Tatum, Planning Bureau Manager, at (562) 570-6261.

ATTACHMENT

TM:LT:vbc

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CC: CHARLES PARKIN, CITY ATTORNEY  
LAURA L. DOUD, CITY AUDITOR  
TOM MODICA, ASSISTANT CITY MANAGER  
KEVIN JACKSON, DEPUTY CITY MANAGER  
REBECCA GARNER, ASSISTANT TO THE CITY MANAGER  
JOHN KEISLER, DIRECTOR OF ECONOMIC AND PROPERTY DEVELOPMENT  
LINDA TATUM, BUREAU MANAGER  
MONIQUE DE LA GARZA, CITY CLERK (REF. FILE # 16-1149)

**STUDY SESSION  
ITEM**

**CUP Procedures and Requirements: Issues,  
Options and Recommendations**



**City of Long Beach  
Planning Commission Meeting  
September 7, 2017**

# Agenda

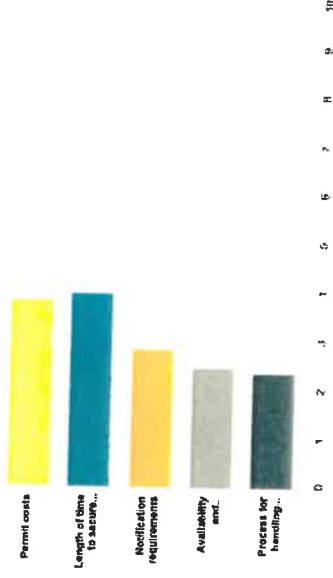
- Project Objectives
- Process Overview
- Issues
  - Use Regulations
  - Procedures and Permit Costs
  - Code Clarity and Ease of Use
- Key Recommendations
- Public and Planning Commission Input



# Project Objectives

- Efficiency
  - Timeliness
  - Predictability
  - Efficiency
  - Cost
- Effective response to concerns about negative impacts
- Improve City's image as a good place to do business

Q2 What do you see as the major problems with the City's procedures / practices for reviewing and approving new businesses or changes to existing establishments? (Please rank in order with 1 being the most problematic, 5 being the least problematic)



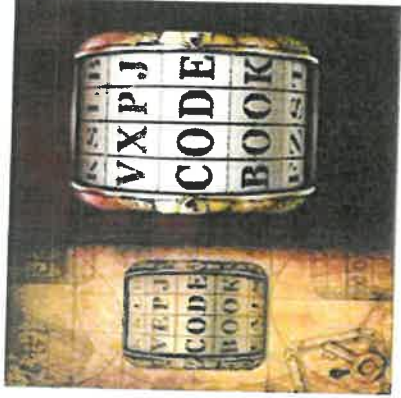
# Overview of CUP Study Process

- **Progress to date:**
  - Technical analysis of Zoning Code/CUP provisions
  - Stakeholder input
  - Survey and compare peer city regulations and practices
  - Identify key issues and options
  
- **This is where we are now**
  - Obtain feedback from stakeholders and public officials
  - Planning Commission Study Session



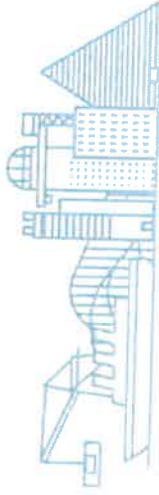
# What We Heard From Stakeholders

- Outdated zoning requirements
- Time and expense of “getting to yes”
- Difficult requirements and procedures especially for alcohol sales
- Business assistance and outreach



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## Business Portal



**DYETT & BHATIA**  
Urban and Regional Planners



City of Long Beach  
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## Stakeholder's Key Issues

- Use regulations and requirements
- Parking standards and parking management
- Procedures, cost, and time-lines
- Code usability, clarity, and modernity



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## How Does Long Beach Compare?

- Cost and processing time similar to peer cities
- 750-foot notification radius greater than peer cities
- Some peer cities do better job providing information on business assistance and applications under review
- Some peer cities give staff greater responsibility for permit approval
- Some peer cities require less parking





# Preliminary Recommendations

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# Use Regulations



- New and revised requirements for specific uses
- More flexibility for alcohol sales
- Clarified rules for assembly uses
- Simplified requirements for industrial zones
- Modified requirements for live-work

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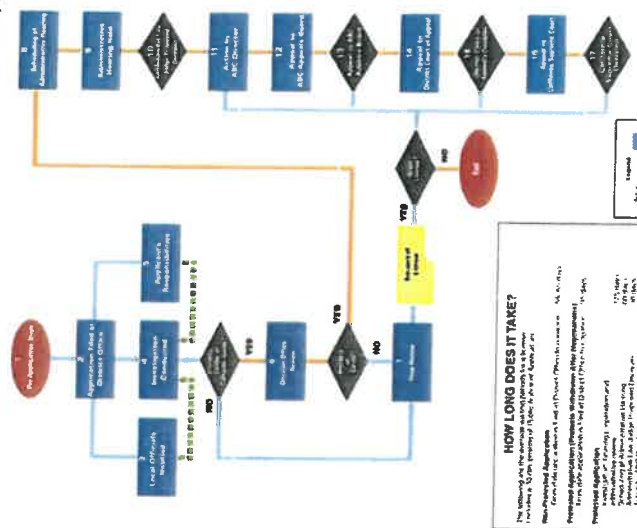


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# Alcohol Sales

- Adjust CUP exemptions
- Additional alcohol sales with AUP
- Determination of Public Convenience or Necessity
- Coordination with ABC requirements

State of California - Department of Alcoholic Beverage Control  
**ALCOHOLIC BEVERAGE LICENSE-APPLICATION PROCESS**  
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**HOW LONG DOES IT TAKE?**

The following is a general estimate of the time it takes to receive a license. The actual time may vary depending on the complexity of the application and the availability of the applicant's information.

**How Long Does it Take?**

Application to District Office: 1-2 weeks  
 Application to County Office: 1-2 weeks  
 Application to State Office: 1-2 weeks  
 District Office Review: 1-2 weeks  
 County Office Review: 1-2 weeks  
 State Office Review: 1-2 weeks  
 Public Convenience or Necessity Determination: 1-2 weeks  
 License Issuance: 1-2 weeks  
 License Fee Payment: 1-2 weeks  
 License Issuance: 1-2 weeks  
 License Issuance: 1-2 weeks  
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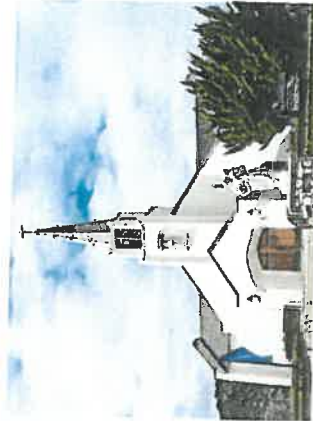
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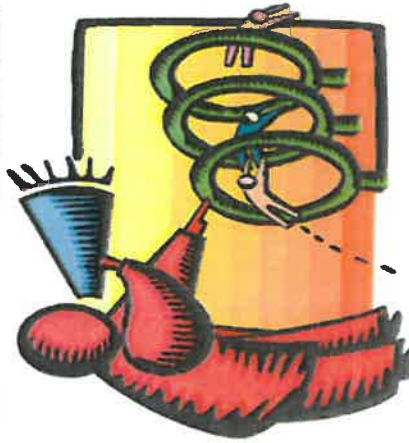
# Regulation of Other Uses

- Clarify requirements
- Consider ways to reduce need for CUP
  - Drive-through fast food
  - Entertainment
  - Assembly uses
  - Thrift shops
  - Tattoo parlors
  - Truck parking



## Application Procedures

- Consider two-part fee structure with downpayment
- Improve communication of requirements
- Reduce notification radius to 300 feet to lower cost
- Improve website sharing of public notices



## Other Code Changes

- Update Code to remove invalid provisions
- Establish zoning clearance process to ensure applicants understand rules and make enforcement easier



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# Next Steps

- Economic Development Commission Study Session
- Feedback from stakeholders and community
- Draft revised regulations
- Additional meetings if necessary
- Planning Commission and City Council public hearings
- City Council adoption

