Date: January 26, 2017

To: Patrick H. West, City Manager

From: Amy J. Bodek, Director of Development Services

For: Mayor and Members of the City Council

Subject: Alcohol Nuisance Abatement Ordinance Update – Implementation Status

On August 6, 2013, the City Council approved the Alcohol Nuisance Abatement Ordinance (ANAO) regulating legal nonconforming businesses selling beer, wine and distilled spirits for off-site consumption (liquor stores). The intent of ANAO is to alleviate nuisance activities associated with the sale of alcohol and encourage all existing liquor stores to operate in a manner that is mutually beneficial to residents and business owners. The standards set forth in the Ordinance require liquor stores throughout the City to ensure that measures are taken to improve aesthetic appearance, promote safety, and enable access. Requirements include a security system that is linked to the Police Department via IP address, removal of exterior security bars and gates, new exterior lights, and visible street addresses; as well as removal of pay phones, elimination of excess signage and coolers from window space, new exterior paint, and removal of all graffiti within 24 hours.

The first phase of implementation, which started on January 10, 2014, resulted in a deemed approved status for 23 previously non-conforming liquor stores in Council Districts 8 and 9. After successful completion of phase one, the City Council directed staff on May 12, 2015, to further implement the Ordinance citywide (Exhibit A – Type 21 Locations).

On July 8, 2015, the second phase of implementation started with Council District 2, which had the most nonconforming liquor stores. This phase included 16 liquor stores in Council District 2, and three liquor stores located in Council District 1. To date, 17 of the 19 liquor stores in this phase have been deemed approved, and the remaining two liquor stores have plans in place to obtain approval by the end of February 2017.

On May 6, 2016, the third phase of implementation began with the 14 remaining liquor stores in Council District 1. To date, 8 of the 14 liquor stores have been deemed approved. The remaining six liquor stores requested additional time to make the required changes. It is anticipated that all liquor stores with outstanding improvements will obtain approval by the end of February 2017.

Staff will initiate the fourth phase of implementation in Council District 7, beginning the first week of January 2017 for 13 legal nonconforming liquor stores. Further, staff will continue to monitor the eight businesses with outstanding issues to ensure compliance by the end of February 2017. If the remaining nonconforming stores still have not made
progress, or shown effort to comply with the ANAO provisions by the end of February, they will be subject to a due process hearing before the Site Plan Review Committee, and a possible revocation of their Type 21 liquor license. Phase five, which will focus on District 6 properties, is expected to commence in the summer of 2017.

The implementation of the ANAO has resulted in two Planning awards: the Award of Excellence at the 2016 Los Angeles Chapter of the American Planning Association, and the Award of Excellence for Implementation at the 2016 State of California, American Planning Association. The awards received for implementation of the ANAO and the attached before-and-after pictures (Exhibit B) demonstrate how successful the Ordinance has been. The improvements to the aesthetics required at each liquor store include, but are not limited to, the removal of excessive window signage, security bars, window blockage, pay phones, and the installation of improved video surveillance and lighting systems. A number of liquor stores have reduced and/or relocated signage from windows, repainted, and pressure washed the sidewalk in front of the store. They have also provided the Police Department with access to their on-line video surveillance systems.

For further information regarding this matter, please call Amy Bodek, Director of Development Services, at (562) 570-6428.

ATTACHMENTS:  EXHIBIT A – TYPE 21 LOCATIONS
               EXHIBIT B – BEFORE AND AFTER PICTURES

CC:  CHARLES PARKIN, CITY ATTORNEY
     LAURA L. DOUD, CITY AUDITOR
     TOM MODICA, ASSISTANT CITY MANAGER
     ANITRA DEMPSEY, INTERIM DEPUTY CITY MANAGER
     REBECCA JIMENEZ, ASSISTANT TO THE CITY MANAGER
     LINDA TATUM, PLANNING BUREAU MANAGER
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)

City of Long Beach, California

Department of Technology Services GIS

Map Features

Type 21 Locations

- Exempt, Deemed Approved or Have CUP (78)
- Not Exempt or Do Not Have CUP (78)
- Council Districts

Source: California Department of Alcoholic Beverage Control - April 2016

Total Locations: 174

As of April 2016

Note: Exempts, Deemed Approved or Have CUP

Not Exempt or Do Not Have CUP

Council Districts
Alcohol Nuisance Abatement Ordinance

City of Long Beach, CA

Wine Mess

Before

After
Alcohol Nuisance Abatement Ordinance

Before

Squire Liquor

After

City of Long Beach, CA
Alcohol Nuisance Abatement Ordinance

City of Long Beach, CA

Before

Jones’ Liquor

After